



# भारत का राजपत्र The Gazette of India

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No. 36]

NEW DELHI, SATURDAY, SEPTEMBER 5, 1987/BHADRA 14, 1909

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Page is given to this Part in order that it may be filed as  
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than  
the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 19 अगस्त, 1987

सूचना

का.भा. 2329.—नोटरीय नियम, 1956 के नियम 6 के अनु-  
सरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रजनीत  
नारायणदास सुखीजा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम  
4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे महाराष्ट्र  
में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाये।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार  
का आपत्ति इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप  
में मेरे पास भेजा जाए।

[(सं 5(47)/87-न्या०)]

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 19th August, 1987

NOTICE

S.O. 2329.—Notice is hereby given by the Competent  
Authority in pursuance of rule 6 of the Notaries, 1956, that  
application has been made to the said Authority, under rule

822GI/87—1

4 of the said Rules, by Shri Ranjit Narayandas Sukhija,  
Advocate for appointment as a Notary to practise in  
Maharashtra.

2. Any objection to the appointment of the said person  
as a Notary may be submitted in writing to the undersigned  
within fourteen days of the publication of this Notice.

[No. F. 5(47)/87-Judl.]

नई दिल्ली 24 अगस्त, 1987

सूचना

का.भा. 2330.—नोटरीय एक्ट, 1956 के नियम 6 के अनुसरण में सक्षम  
प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जयंत सेन गुप्ता, एडवोकेट  
ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस  
बात के लिए दिया है कि उसे पार्क सर्कस, चौरंगी, पार्क स्ट्रीट (कलकत्ता)  
में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार  
का आपत्ति इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप  
में मेरे पास भेजा जाए।

[सं. 5(48) 87-न्या०]

प्रार. एन. पोद्दार, सक्षम प्राधिकारी

(2925)

New Delhi, the 24th August, 1987

## NOTICE

S.O. 2330.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Jayanta Sen Gupta, Advocate for appointment as a Notary to practise in Park Street, Park Circus, Chouringhee.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(48)/87-Judl.]

R. N. PODDAR, Competent Authority

## वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 15 जुलाई, 1987

(भायकर)

का.भा. 2331.—भायकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खंड के प्रयोजनार्थ, "समस्त केरल जमा-ए-तुल उलामा (केरल)" को कर निर्धारण वर्ष 1985-86 से 1988-89 के लिए अधिसूचित करती है।

[सं. 7423/का.सं. 197/196/85-मा. क. (नि-1)]

## MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 15th July, 1987

(INCOME-TAX)

S.O. 2331.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Samastha Kerala Jem-Iyyathul Ulama (Kerala)" for the purpose of the said clause for the assessment years 1985-86 to 1988-89.

[No. 7423/F. No. 197/196/85-IT (AI)]

का.भा. 2332.—भायकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खंड के प्रयोजनार्थ, "जमशेदपुर डायोसेसन कॉर्पोरेशन, जमशेदपुर" को कर निर्धारण वर्ष 1986-87 से 1988-89 के लिए अधिसूचित करती है।

[सं. 7424/का.सं. 197/179/84-मा.क. (नि-1)]

रोशन सहाय, भ्रवर सचिव

S.O. 2332.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Jamshedpur Diocesan Corporation, Jamshedpur" for the purpose of the said clause for the assessment years 1986-87 to 1988-89.

[No. 7424/F.No. 197/179/85-IT (AI)]

ROSHAN SAHAY, Under Secy.

नई दिल्ली, 20 अगस्त, 1987

भाषा

का.भा. 2333.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52)

की धारा 3 की उपधारा (1) के अधीन विशेष रूप से संज्ञकृत किया गया है, उक्त उपधारा के अधीन आदेश का.सं. 673/1/87-सी.शु. VIII तारीख 12-1-1987 यह निदेश देते हुए जारी किया गया था कि श्री एम.के. मोहम्मद अली, सुपुत्र मोहदीन कुट्टी, पुथियापुरा, कुंदनगल डाकघराना कालै, कालीकट को केन्द्रीय कारागार, त्रिवेन्द्रम में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिये हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, त्रिवेन्द्रम के समक्ष हाजिर हो।

[का.सं. 673/1/87-सी.शु. VIII]

New Delhi, the 20th August, 1987

## ORDERS

S.O. 2333.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/1/87-Cus. VIII dated 12-1-1987 under the said sub-section directing that Shri M. K. Mohamed Ali, S/o Moideen Kutty, Puthiyapura, Kundungal P.O. Kallai, Calicut be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange; and

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Trivandrum within 7 days of the publication of this Order in the Official Gazette.

[F. No. 673/1/87-Cus.VIII]

का. भा. 2334.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से संज्ञकृत किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/2/87-सी. शु.-VIII तारीख 12-1-1987 यह निदेश देते हुए जारी किया था कि श्री टी. मोहदीन कोया, सुपुत्र के. मोहम्मद, पुथियापुरा, कुंदनगल, डाक घर कालै, कालीकट को केन्द्रीय कारागार त्रिवेन्द्रम में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो;

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, त्रिवेन्द्रम के समक्ष हाजिर हो।

[का. सं. 673/2/87—सी. शु. VII]

S.O. 2334.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/2/87-CUS.VIII dated 12-1-1987 under the said sub-section directing that Shri T. Moideen Koya, S/o K. Mohamed, Puthiyapura, Kundungal P.O. Kallai, Calicut be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Trivandrum within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/2/87-CUS.VIII]

का. आ. 2335:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/4/87—सी. शु.—VIII, तारीख 26-2-87 यह निदेश देते हुए जारी किया गया था कि श्री एम. जहाबर अहमद, 16 अय्यामुददाली स्ट्रीट, मद्रास-2 को केन्द्रीय कारागार, मद्रास में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, मद्रास के समक्ष हाजिर हो।

[का. सं. 673/4/87—सी. शु. 8]

S. 2335.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/4/87-Cus. VIII dated 26-2-1987 under the said sub-section directing that Shri M. Jahabar Ahmed, 16, Ayya-muddali Street, Madras-2 be detained and kept in custody in the Central Prison, Madras with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Madras within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/4/87-Cus. VIII]

का. आ. 2336:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त

किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/5/87—सी. शु. 8 तारीख 26-2-1987 यह निदेश देते हुए जारी किया गया था कि श्री मलंग युसुफ खादरे, तीसरी मंजिल सुबुलक्ष्मी अपार्टमेंट्स 49/3, बीमा सेरा गार्डन स्ट्रीट, माइलापोर, मद्रास को केन्द्रीय कारागार, मद्रास में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, मद्रास के समक्ष हाजिर हो।

[का. सं. 673/5/87—सी. शु.—8]

S.O. 2336.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/5/87-CUS.VIII dated 26-2-1987 under the said sub-section directing that Shri Malang Yusuf Khader, IIIrd floor, Subbulaxmi Apartments, 49/3, Beema Sera Garden Street, Mylapore, Madras be detained and kept in custody in the Central Prison, Madras with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Madras within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/5/87-CUS.VIII]

का. आ. 2337:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/193/86—सी. शु.—8, तारीख 12-12-86 यह निदेश देते हुए जारी किया था कि श्री लव मिश्रा, 7—क्रॉस रोड, (67/45, स्टैण्ड रोड) कलकत्ता—700006 को प्रेसिडेंसी जेल, कलकत्ता में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे तस्करी के माल रखने और तस्करी के माल को लाने-ले जाने अथवा छिपाने के अथवा तस्करी के माल का धंधा करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, कलकत्ता के समक्ष हाजिर हो।

[का. सं. 673/193/86—सी. शु.—8]

S.O. 2337.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order

F. No. 673/193/86-Cus.VIII dated 12-12-86 under the said sub-section directing that Shri Lava Mishra, 7, Cross Road, (67/45, Strand Road), Calcutta-700006 be detained and kept in custody in the Presidency Jail, Calcutta with a view to preventing him from engaging keeping smuggled goods and dealing in smuggled goods otherwise than by engaging transporting or concealing smuggled goods, and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Calcutta within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/193/86-Cus.VIII]

का. भा. 2338:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/20/87—सी. शु.—8, तारीख 17-3-1987 यह निदेश देते हुए जारी किया गया था कि श्री के. थॉमस विनसेंट उर्फ विन्चु सुपुन स्वर्गीय के. पी. थॉमस, मकान नं. एक्स. एल./600 ए—विहपिल्लिल लेन, एरनाकुलम, कोचीन—17 को केन्द्रीय कारागार, त्रिवेन्द्रम में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिये हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, त्रिवेन्द्रम के समक्ष हाजिर हो।

[फा. सं. 673/20/87—सी. शु.—8]

S.O. 2338.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/20/87-Cus.VIII dated 17-3-1987 under the said sub-section directing that Shri K. Thomas Vincent @Vichu S/o Late K. P. Thomas, H. No. XL/600A, Cherupillil Lane, Ernakulam, Cochin-17 be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Trivandrum within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/20/87-Cus.VIII]

का. भा. 2339 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से

सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/194/86—सी. शु.—8, तारीख 12-12-86 यह निदेश देते हुए जारी किया था कि श्री जगदीश प्रसाद अग्रवाल पुत्र श्री मांगी लाल अग्रवाल ग्राम सहपाड़ा, गंगारामपुर, जिला पश्चिम दिनाजपुर, को प्रेसिडेंसी जेल, कलकत्ता में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे तस्करी का माल लाने-ले जाने और तस्करी के माल को छिपाने अथवा उसे रखने के अलावा तस्करी के माल का धंधा करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस महानिरीक्षक, पश्चिम बंगाल, कलकत्ता के समक्ष हाजिर हो।

[फा. सं. 673/194/86—सी. शु.—8]

S.O. 2339.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/194/86-Cus.VIII dated 12-12-1986 under the said sub-section directing that Shri Jagadish Prasad Agarwala S/o Shri Mangi Lal Agarwala, Vill. Sahpra, Gangarampur, Distt. West Dinajpur be detained and kept in custody in the Presidency Jail, Calcutta with a view to preventing him from engaging in transporting smuggled goods and dealing in smuggled goods otherwise than by concealing or keeping smuggled goods, and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Inspector General of Police, West Bengal, Calcutta within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/194/86-Cus.VIII]

का. भा. 2340 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/195/86—सी. शु.—8, तारीख 12-12-86 यह निदेश देते हुए जारी किया था कि श्री निरञ्जन शर्मा, सुपुन इन्द्र चन्द्र शर्मा, डाक घर एवं ग्राम गंगारामपुर, जिला पश्चिमी दिनाजपुर को प्रेसिडेंसी जेल, कलकत्ता में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे तस्करी के माल को लाने से जाने का कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस महानिरीक्षक, पश्चिम बंगाल, कलकत्ता के समक्ष हाजिर हो

[फा. सं. 673/195/86—सी. शु.—8]

S.O. 2340.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/195/86-Cus.VIII dated 12-12-86 under the said sub-section directing that Shri Niranjana Sharma S/o Shri Indra Chand Sharma, P.O. and Vill. Gangarampur, Distt. West Dinajpur be detained and kept in custody in the Presidency Jail, Calcutta with a view to preventing him from engaging in transporting smuggled goods and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Inspector General of Police, West Bengal, Calcutta within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/195/86-Cus.VIII]

का. भा. 2341 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/199/86—सी. शु.—8, तारीख 31-12-86 यह निदेश देते हुए जारी किया था कि श्री अब्दुल मलिक बापुसाहेब, फ्लैट नं. 13, गोकुल गंज, द्वितीयमंज, फस्ट रोड, खार, बम्बई को केन्द्रीय कारागार, बम्बई में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2 केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हाजिर हो।

[का. सं. 673/199/86—सी. शु.—8]

S.O. 2341.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/199/86-Cus.VIII dated 31-12-86 under the said sub-section directing that Shri Abul Malik Bapusaheb, Flat No. 13, Gokul Kunj, 2nd Floor, 1st Road, Khar, Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/199/86-Cus.VIII]

का. भा. 2342 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974

का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/200/86—सी. शु.—8, तारीख 31-12-86 यह निदेश देते हुए जारी किया गया था कि श्री अब्दुल खादर हुसैन, फ्लैट नं. 13 गोकुल गुंज, दूसरी मंजिल, फस्ट रोड, खार, बम्बई को केन्द्रीय कारागार, बम्बई में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी काम करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2 केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हाजिर हो।

[का. सं. 673/200/86—सी. शु. 8]

S.O. 2342.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/200/86-Cus.VIII dated 31-12-86 under the said sub-section directing that Shri Abdul Khaker Hussain, Flat No. 13, Gokul Kunj, 2nd Floor, 1st Road, Khar, Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/200/86-Cus.VIII]

का. भा. 2343 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/210/86—सी. शु.—8, तारीख 29-12-86 यह निदेश देते हुए जारी किया था कि श्री बी. पी. सलीम सुपुत्र पी. जे. मोहम्मदीन कुट्टी बेबीकाथ, पेवन बिल्डिंग, हाकखाना मोहम्मदामुल (बारस्ता) चावाकड तिरुवर, केरल को केन्द्रीय कारागार, त्रिनेश्वर में निरुद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिये हानिकारक हो।

2 केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, त्रिनेश्वर के समक्ष हाजिर हो।

[का. सं. 673/210/86—सी. शु. 8]

S.O. 2343.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/210/86-Cus. VIII dated 29-12-86 under the said sub-section directing that Shri V. P. Saleem S/o P. J. Moideen Kutty Vadiyakath, Perunvecchil, P.O. Orumanayul (Via) Chavakkad Trichur, Kerala be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Trivandrum within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/210/86-Cus.VIII]

का. भा. 2344:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/211/86—सी. गु.—8, तारीख 29-12-86 यह निदेश देते हुए जारी किया था कि श्री वी. के. अबुबकर, सुपुत्र श्री अराकल करुपय मोहम्मद अली, सफा नं. बी/153, मोहननपुर (पी. ओ.) चवाक्कद (बारस्ता) त्रिचूर, केरल के केन्द्रीय कारागार, त्रिवेन्द्रम में निबद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे कोई भी ऐसा कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2 केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, त्रिवेन्द्रम के समक्ष हजरि हो।

[का. सं. 673/211/86—सी. गु. 8]

S.O. 2344.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/211/86-Cus.VIII dated 29-12-86 under the said sub-section directing that Shri V. K. Abubacker S/o Arackal Karupati Mohd. Ali, H. No. V/153, Orunanayoor (P.O.), Chavakkad (Via) Trichur, Kerala be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Trivandrum within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/211/86-Cus.VIII]

का. भा. 2345:—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/209/86—सी. गु.—8 तारीख 23-12-86 यह निदेश देते हुए जारी किया था कि श्री असलम जाफरी, फ्लैट नं.—3, राजगीर मंशन, प्रथम तल, डा. अम्बेडकर रोड, खार, बम्बई को केन्द्रीय कारागार, बम्बई में निबद्ध कर लिया जाए और अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2 केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके; और

3 अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हजरि हो।

[का. सं. 673/209/86—सी. गु. 8]

एस.के. चौधरी, अवर सचिव

S.O. 2345.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/209/86-Cus.VIII dated 23-12-1986 under the said sub-section directing that Shri Aslam Jafri, Flat No. 3, Rajgir Mansion, 1st Floor, Dr. Ambedkar Road, Khar, Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange and;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/209/86-Cus.VIII]

S. K. CHOUDHRY, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 18 अगस्त, 1987

का. भा. 2346 केन्द्रीय सरकार, सरकारी स्थान (संप्रविद्धत अधि-भोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नीचे की सारणी के स्तंभ-1 में विनिर्दिष्ट भारतीय औद्योगिक पुनर्निर्माण बैंक अधिनियम, 1984 (1984 का 64) की धारा 3 के अधीन स्थापित भारतीय औद्योगिक पुनर्निर्माण बैंक के अधिकारियों को, जो सरकार के राजपत्रित अधिकारियों की पंक्ति के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है और जो उक्त सारणी के स्तंभ 2 में की तत्स्थानी प्रक्रियाओं में विनिर्दिष्ट सरकारी परिसरों के संबंध में उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी	
अधिकारी का पदनाम	सरकारी स्थानों के प्रवर्ग और अधिका- रिता की स्थायी सीमाएं
(1)	(2)
	निम्नलिखित स्थानों पर स्थित उक्त पुनर्निर्माण बैंक के या उसके द्वारा पट्टे पर लिए गए कोई परिसर
1. महाप्रबंधक, प्रशासन, कलकत्ता	: कलकत्ता
2. महाप्रबंधक, बम्बई	: बम्बई
3. महाप्रबंधक, मद्रास	: मद्रास
4. महाप्रबंधक, हैदराबाद	: हैदराबाद
5. महाप्रबंधक, लखनऊ	: लखनऊ
6. महाप्रबंधक, नई दिल्ली	: नई दिल्ली
7. उपमहाप्रबंधक/या प्रबंधक	: गुवाहाटी
8. उपमहाप्रबंधक/या प्रबंधक, भोपाल	: भोपाल
9. प्रबंधक, अहमदाबाद	: अहमदाबाद

[सं. 1(5)/87-आई. एफ.-II]

मनीष चन्द्र सत्यवादी, संपुक्त सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 18th August, 1987

S.O. 2346.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officers of the Industrial Reconstruction Bank of India, established under Section 3 of the Industrial Reconstruction Bank of India Act, 1984 (64 of 1984), specified in column 1 of the Table below, being officers of equivalent rank of gazetted officers of Government to be estate officers for the purpose of the said Act who shall exercise the powers conferred, and perform the duties imposed on the estate officers by or under the said Act in respect of the public premises specified in the corresponding entries in column 2 of the said Table.

THE TABLE

Designation of Officers	Categories of public premises and local limits of jurisdiction.
1	2
	Any premises belonging to or taken on lease by the said Reconstruction Bank situated at
1. General Manager Administration <sup>1</sup> Calcutta.	Calcutta.

1	2
2. General Manager, Bombay	Bombay.
3. General Manager, Madras.	Madras.
4. General Manager, Hyderabad	Hyderabad.
5. General Manager, Lucknow	Lucknow.
6. General Manager, New Delhi.	New Delhi
7. Deputy General Manager/ or Manager	Guwahati.
8. Deputy General Manager/ or Manager, Bhopal.	Bhopal.
9. Manager, Ahmedabad	Ahmedabad.

[No. 1(5)/87—IF. II]

M.C. SATYAWADI, Jt. Secy.

नई दिल्ली, 18 अगस्त, 1987

का. प्रा. 2347.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 के साथ पठित खंड 3 के उपखंड (ख) (1) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा श्री यू. श्रीपति राव, विशेष सहायक केनरा बैंक, आडिप्पा नाइकेन स्ट्रीट, मद्रास को केनरा बैंक के निदेशक बोर्ड में, बैंक के कर्मकार कर्मचारियों के प्रतिनिधि के रूप में दिनांक 18 अगस्त 1987 से शुरू होने वाली और 17 अगस्त, 1990 को समाप्त होने वाली तीन वर्षों की अवधि के लिए निदेशक नियुक्त करती है।

[सं. एफ. 15-2/84-आई. एफ.ए.

सतपाल भाटिया, प्रवर सचिव

New Delhi, the 18th August, 1987

S.O. 2347.—In pursuance of sub-clause (b)(i) of clause 3 read with clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri U. Sripathy Rao, Special Assistant, Canara Bank, Audiappa Naicken Street, Madras as a director on the Board of Directors of Canara Bank for a period of three years commencing on the 18th day of August, 1987 and ending with the 17th day of August, 1990, to represent employees of the said bank who are workmen.

[No. F. 15/2/84-IR]

S. P. BHATIA, under Secy.

## वित्त मंत्रालय

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 20 जुलाई, 1987

(आयकर)

का. प्रा. 2348.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा दिनांक 3-3-1982 की अधिसूचना सं. 4501 (फा. सं. 187/41/81-आ. क. नि.-1) तथा दिनांक 8-3-1984 की अधिसूचना सं. 5712 (फा. सं. 187/31/83-आ. क. नि. 1) द्वारा संशोधित और आगे समय-समय पर यथा संशोधित दिनांक 1 2-7-1974 की अधिसूचना सं. 679 सं 5712 (फा. सं. 187/2/74-आ. क. नि.-1) की संलग्न अनुसूची में निम्नलिखित संशोधन करता है।

(क) अनुसूची की क्रम सं. 23 से 23-अ के सामने स्तम्भ 3 के अंतर्गत प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएँगी :—

भायकर आयुक्त	प्रधान कार्यालय	क्षेत्राधिकार
23. पश्चिम बंगाल-I	कलकत्ता	1. कंपनी जिला—1, कलकत्ता । 2. विदेश-अनुभाग, कलकत्ता । 3. अग्निवासी परिमण्डल, कलकत्ता ।
23-क पश्चिम बंगाल-II	कलकत्ता	1. कंपनी जिला-II, कलकत्ता । 2. सहकारी आवासीय परिमण्डल, कलकत्ता । 3. विशेष परिमण्डल-III, कलकत्ता । 4. सिनेमा परिमण्डल, कलकत्ता । 5. जिला—VIII, कलकत्ता ।
23-ख. पश्चिम बंगाल-III	कलकत्ता	1. कंपनी जिला-III, कलकत्ता । 2. विशेष परिमण्डल-I, कलकत्ता ।
23-ग. पश्चिम बंगाल-IV	कलकत्ता	1. कंपनी जिला—IV, कलकत्ता । 2. जिला-III (1), कलकत्ता ।
23-घ. पश्चिम बंगाल-V	कलकत्ता	1. कंपनी परिमण्डल-V, कलकत्ता । 2. जूट परिमण्डल, कलकत्ता । 3. सहकारी समिति परिमण्डल, कलकत्ता । 4. विदेश कंपनी परिमण्डल-I और II, कलकत्ता । 5. विशेष जांच परिमण्डल-I, कलकत्ता । 6. जिला-VI, कलकत्ता । 7. जिला—VII, कलकत्ता । 8. सम्पदा शुद्धक परिमण्डल । 9. जलपाइगुड़ी 10. सिलीगुड़ी 11. दार्जिलिंग 12. कूच बिहार 13. पश्चिम दीनापुर तथा मालवा । 14. कलियपोंग ।
23-ङ पश्चिम बंगाल—VI	कलकत्ता	1. कंपनी जिला-VI, कलकत्ता । 2. जिला-III (3) कलकत्ता । 3. जिला-II (1) कलकत्ता । 4. जिला—होवड़ा । 5. विशेष सर्वेक्षण परिमण्डल-IV, कलकत्ता । 6. विशेष सर्वेक्षण परिमण्डल-IX, कलकत्ता । 7. विशेष परिमण्डल-IX, कलकत्ता । 8. विशेष परिमण्डल-IV, कलकत्ता ।
23-च. पश्चिम बंगाल—VII	कलकत्ता	1. केन्द्रीय बेतल परिमण्डल, कलकत्ता । 2. जिला-III-क, कलकत्ता । 3. जिला-V-क, कलकत्ता । 4. भार. एम. एस. सी., कलकत्ता । 5. सी. ए. परिमण्डल, कलकत्ता । 6. वापसी परिमण्डल, कलकत्ता । 7. बीमा एजेंट्स परिमण्डल, कलकत्ता । 8. ट्रस्ट परिमण्डल, कलकत्ता । 9. विशेष परिमण्डल-V, कलकत्ता । 10. वार्षिक विवरणी, कलकत्ता ।
23-छ. पश्चिम बंगाल—VIII	कलकत्ता	1. जिला-II (2) कलकत्ता । 2. परियोजना परिमण्डल, कलकत्ता । 3. जिला-III (2) कलकत्ता । 4. जिला-I (1) कलकत्ता । 5. जिला-I (3) कलकत्ता । 6. अण्डमान एवं निकोबार द्वीप ।



1	2	3
23-अ. पश्चिम बंगाल—IX	कलकत्ता	1. जिला-V (1) कलकत्ता । 2. जिला-V (2) कलकत्ता । 3. जिला-III (2) कलकत्ता । 4. जिला-I (4) कलकत्ता ।
23-आ. पश्चिम बंगाल—X	कलकत्ता	1. जिला-V (1) कलकत्ता । 2. जिला—IV (2) कलकत्ता । (3) जिला-IV (3) कलकत्ता । 4. एम. एस. सी.-VIII कलकत्ता । 5. मुर्शीदाबाद 6. नादिया
23. आ. पश्चिम बंगाल—XI	कलकत्ता	1. आसम सोल 2. बांकुरा 3. पुरुलिया 4. बोरभूमि 5. बरद्वान 6. हुगली 7. 24-परगना 8. मिर्जापुर 9. हुर्गापुर 10. हलदिया

(ख) क्रम सं. 23-अ, 23-आ, 23-इ, 23-ई, तथा 23-ण के सामने स्तम्भ सं. 1, 2 तथा 3 के अस्तर्गत दी गई प्रविष्टियाँ हटा दी जाएँ। यह आदेश दिनांक 20-7-1987 से लागू होगा।

[सं. 7432/फा सं. 187/11/87-आ क नि-I]

(Central Board of Direct Taxes)

New Delhi, the 20th July, 1987

(INCOME-TAX)

S.O. 2348.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income Tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the schedule appended to the Notification No. 679 (F. No. 187/2/74-II(A1) dated, 2-7-1974 as amended by the Notification No. 4501 (F. No. 188/31/83-II(A1) dated, 3-3-1982 and the Notification No. 5712 (F. No. 187/31/83-I.T.(A1) dated, 3-3-1984 and as further amended from time to time.

(a) The entries under Column No. 3 against Sl. No. 23 to 23J of the Schedule shall be substituted by the following entries :

Commissioners of Income Tax	Head Quarters	Jurisdiction
1	2	3
23. West Bengal-I	Calcutta	1. Company District-I, Calcutta. 2. Foreign Section, Calcutta. 3. Non-Resident Circle, Calcutta.
23-A. West Bengal-II	Calcutta	1. Company District-II, Calcutta. 2. Co-operative Housing Circle, Calcutta 3. Special Circle-III, Calcutta. 4. Cinema Circle, Calcutta. 5. Distt. VIII, Calcutta.
23-अ. West Bengal-III	Calcutta	1. Company Distt. III, Calcutta. 2. Special Circle-I, Calcutta.

Commissioners of Income Tax	Head Quarters	Jurisdiction
23-C. West Bengal-IV	Calcutta	<ol style="list-style-type: none"> <li>1. Company Distt. IV, Calcutta.</li> <li>2. District III(1), Calcutta.</li> </ol>
23-D. West Bengal-V	Calcutta	<ol style="list-style-type: none"> <li>1. Company District-V, Calcutta.</li> <li>2. Jute Circle, Calcutta.</li> <li>3. Co-operative Society Circle, Calcutta.</li> <li>4. Foreign Company Circle-I &amp; II, Calcutta.</li> <li>5. Special Inv. Circle-I, Calcutta.</li> <li>6. District, VI, Calcutta.</li> <li>7. District, VIII, Calcutta.</li> <li>8. E.D. Circle.</li> <li>9. Jalpaiguri</li> <li>10. Siliguri</li> <li>11. Darjeeling.</li> <li>12. Coochbehar.</li> <li>13. West Dinajpur &amp; Malda.</li> <li>14. Kalimpong.</li> </ol>
23-E West Bengal-VI	Calcutta	<ol style="list-style-type: none"> <li>1. Company District-VI, Calcutta.</li> <li>2. District-III(3), Calcutta.</li> <li>3. District-II(1), Calcutta.</li> <li>4. District-Howrah.</li> <li>5. Special Survey Circle-JV, Calcutta.</li> <li>6. Special Survey Circle-JX, Calcutta.</li> <li>7. Special Circle-IX, Calcutta.</li> <li>8. Special Circle-JV, Calcutta.</li> </ol>
23-F. West Bengal-VII	Calcutta	<ol style="list-style-type: none"> <li>1. Central Salary Circle Calcutta.</li> <li>2. District-IIIA, Calcutta.</li> <li>3. District VA, Calcutta.</li> <li>4. R.M.S.C., Calcutta.</li> <li>5. C.A. Circle, Calcutta.</li> <li>6. Refund Circle, Calcutta.</li> <li>7. Insurance Agent Circle, Calcutta.</li> <li>8. Trust Circle, Calcutta.</li> <li>9. Special Circle-V, Calcutta.</li> <li>10. Annual Return, Calcutta.</li> </ol>

Commissioner of Income Tax	Head Quarters	Jurisdiction
23-G. West Bengal-VIII	Calcutta	1. District-II(2), Calcutta. 2. Project Circle, Calcutta 3. District-III(2). Calcutta 4. District-J(1), Calcutta 5. District-J(3), Calcutta 6. Andaman & Nicobar Islands.
23-H. West Bengal-IX	Calcutta	1. District-V(1), Calcutta. 2. District-V(2), Calcutta. 3. District-J(2), Calcutta. 4. District-I(4), Calcutta
23-I. West Bengal-X	Calcutta	1. District-IV(1). Calcutta. 2. District-IV(2), Calcutta. 3. District IV-(3), Calcutta. 4. SSC-VIII. Calcutta. 5. Murshidabad. 6. Nadia.
23-L. West Bengal-XI	Calcutta	1. Asansol. 2. Bankura. 3. Purulia. 4. Birbhum. 5. Burdwan 6. Hooghly 7. 24-Parganas. 8. Midnapur. 9. Durgapur. 10. Haldia.

(b) The entries under column Nos. 1, 2 & 3 against Serial 23K, 23L, 23M, 23N & 23O shall be deleted.  
This order shall be effective from 20-7-1987.

[No. 7432/F. No. 187/11/87-JT(AI)]

नई दिल्ली 22 जुलाई 1987

शुद्धिपत्र

(आयकर)

का.मा. 2349.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 126 तथा 121 द्वारा प्रयुक्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड दिनांक 19-6-1987 को अपनी अधिसूचना सं. 7355/का. सं. 187/5/87-मा.क. (नि-1) में दी गई अनुसूची की क्रम

सं. 2 के स्तम्भ सं. 2 के नीचे की प्रविष्टि में निम्नलिखित संशोधन करता है।

के लिए	पढ़ा जाए
हरियाणा प्रमुख जालंधर भोपाल जबलपुर तथा विदर्भ के आयकर आयुक्तों के क्षेत्राधिकार में आने वाले क्षेत्र।	हरियाणा प्रमुख जालंधर पटियाला भोपाल, जबलपुर तथा विदर्भ के आयकर आयुक्तों के क्षेत्राधिकार में आने वाले क्षेत्र।

[सं. 7438/का.सं. 187/5/87-मा.क.नि.-1]

के.के. त्रिपाठी, सचिव

New Delhi, the 22nd July, 1987

## CORRIGENDUM

## (INCOME TAX)

S.O. 2349.—In exercise of the powers conferred by Section 126 and 121 of the Income Tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following corrigendum in the entry under column No. 2 against Sl. No. 2 of the schedule appended to its Notification No. 7355 /F.No. 187/5/87-JT(AI) dated 19-6-1987.

For	Read
Areas comprised in the jurisdiction of the Commissioners of Income-tax, Haryana, Amritsar Jullundur Bhopal Jabalpur and Vidharbha.	Areas comprised in the jurisdiction of the Commissioners of Income-Tax, Haryana, Amritsar, Jullundur, Patiala, Bhopal, Jabalpur and Vidharbha.

[No. 7438/(F.No/187/5/87-JT(AI))

K.K. TRIPATHI, Secy.

## बाणिज्य मंत्रालय

मुख्य निर्यातक, आयात-निर्यात का कार्यालय

नई दिल्ली, 14 अगस्त, 1987

आदेश

का. आ. 2350.—श्री दलीप सिंह, द्वारा मैक्स सम्राट बाइसिकल्स लि. 20/1, आसफ अली रोड, नई दिल्ली-2 को विदेश में उसकी अपनी विदेशी मुद्रा को बचत के प्रयोजन 2,29,10,000/-रु. (1586400 पौड्स) के लागत-सीमा-माझा मूल्य के लिए यू. के./पश्चिमी जर्मनी/स्विट्जरलैंड से लाइसेंस की संलग्न सूची के अनुसार बाइसिकल्स प्रिंसीपल स्टील ट्यूब्स और सी. आर. स्ट्रिप्स आदि के विनिर्माण के लिए पूंजीगत माल मशीनरी के आयात के लिए आयात लाइसेंस सं. पी./सी.जी./2098140 दिनांक 28-3-85 दिया गया था।

2. कर्म ने उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क प्रयोजन प्रति खो गई है/अस्थानस्थ हो गई है। आगे यह भी कहा गया है कि लाइसेंस की सीमाशुल्क प्रयोजन प्रति बम्बई सीमाशुल्क (सीमाशुल्क कार्यालय) बम्बई के पास पंजीकृत कराई गई थी और उसका आंशिक रूप से उपयोग कर लिया गया था। आगे यह भी बताया गया है कि अब अवशेष अनुलिपि प्रति 1010700/-रु. (69942 पौड्स) की शेष राशि को पूरा करने के लिए चाहिए।

3. लाइसेंस-धारक ने अपने तर्कों के समर्थन में नोटरी पब्लिक, नई दिल्ली के सामने विधिवत शपथ लेकर स्टाम्प-कागज पर एक शपथ-पत्र दाखिल किया है तदनुसार, मैं संतुष्ट हूँ कि लाइसेंस सं. पी/सी.जी./2098140 दिनांक 28-3-85 की मूल सीमाशुल्क प्रयोजन प्रति कर्म से खो गई है/अस्थानस्थ हो गई है। समय-समय पर आयात-संशोधित आयात (निर्यात) आदेश, 1955 दिनांक 7-12-1955 की उपधारा 9(ग) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए श्री दलीप सिंह, द्वारा सम्राट बाइसिकल्स लि. 20/1 आसफ अली रोड नई दिल्ली, को जारी किए गए आयात लाइसेंस सं. पी./सी.जी./2098140 दिनांक 28-3-85 की मूल सीमाशुल्क प्रयोजन प्रति एवम् द्वारा रद्द की जाती है।

4. उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति पार्टी को अलग से जारी की जा रही है।

[सं. सी. जी-2/1618/7/आई एन एस ए/84-85]

## MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

New Delhi, the 14th August, 1987

## ORDER

S.O. 2350.—Shri Dalip Singh, C/o. M/s. Samrat Bicycles Limited, 20/1, Asaf Ali Road, New Delhi-2 was granted on Import Licence No. P/CG/2098140 dt. 28-3-85 for import of capital goods machinery for the manufacture of Bicycles Precision Steel tubes and C. R. Strips etc. as per list attached from UK/West Germany/Switzerland for cif value of Rs. 2,29,10,000/- (£ 1586400) under applicant's own Foreign Exchange Savings abroad.

2. The firm has applied for issue of duplicate copy of Customs Purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of licence has been lost/misplaced. It has further been stated that the Customs purposes copy of licence was registered with the Bombay Customs (Customs House) Bombay and utilised partly. It is added that the duplicated licence now required is to cover the balance of Rs. 1010700/- (£ 69942).

3. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a notary Public, New Delhi. I am accordingly satisfied that the original Customs Purposes copy of import licence No. P/CG/2098140 dated 28-3-85 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) order, 1955 dated 7-12-1955 as amended from time to time the said original Customs purposes copy No. P/CG/2098140 dated 28-3-85 issued to Shri Dalip Singh, C/o. M/s. Samrat Bicycles Limited, 20/1, Asaf Ali Road, New Delhi is hereby cancelled.

4. A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No. CGII/1618/7/INSA/84-85]

नई दिल्ली, 25 अगस्त, 1987

आदेश

का.आ. 2351.—मै. सम्राट बाइसिकल्स लि., नई दिल्ली को माइमन बैंक डसलट्रोर्फ, पश्चिम जर्मनी के माध्यम से विदेशी मुद्रा ऋण के अंतर्गत पूंजीगत माल के आयात के लिए 2,87,67,700 (दो करोड़ सत्तासी लाख सत्तासठ हजार सात सौ रुपये) का एक आयात लाइसेंस सं. पी/सी.जी./2098330/डी/बीस/95/एच/85/सी. जी-1, दिनांक 21-5-85 दिया गया था। कर्म ने उपर्युक्त लाइसेंस के 2,56,58,000 रुपये मूल्य की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा-शुल्क प्रयोजन प्रति खो गई है अथवा अस्थानस्थ हो गई है। आगे यह भी बताया गया है कि लाइसेंस की सीमा-शुल्क प्रयोजन प्रति बम्बई सीमाशुल्क प्राधिकारी के पास पूंजीकृत करवाने और आंशिक रूप से प्रयोग किए जाने के पश्चात अस्थानस्थ हो गई है।

2. लाइसेंस-धारक ने अपने तर्कों के समर्थन में नोटरी पब्लिक, दिल्ली के सामने विधिवत शपथ लेकर स्टाम्प कागज पर एक शपथ-पत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि आयात लाइसेंस सं. पी/सी.जी./2098330, दिनांक

21-5-85 की मूल सीमा-शुल्क प्रयोजन प्रति फर्म से खो गई है अथवा अस्थायी हो गई है। समय-समय पर यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उपधारा 9(ग) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए मै. सम्राट बाइसिकल्स लि. नई दिल्ली को जारी की गई मूल सीमा-शुल्क प्रयोजन प्रति सं. पी/सीजी/2098330 दिनांक 21-5-85 एतद्वारा रद्द की जाती है।

3. उद्युक्त लाइसेंस की 2,56,60,600 रु. (डी एम 6351000) मूल्य की सीमा-शुल्क प्रयोजन प्रति की अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[सं. 1399/7/84-85/सीजी-1/305]

पाल बैक, उा मुख्य नियंत्रक आयात-निर्यात  
कृते मुख्य नियंत्रक आयात-निर्यात

New Delhi, the 25th August, 1987

#### ORDER

S.O. 2351.—M/s. Samrat Bicycles Ltd. New Delhi were granted an Import Licence No. P/CG/2098330/D/XX[95] H/85/CG.I dated 21-5-85 for Rs. 2,87,67,700 (Rupees Two Crores eighty seven lakhs sixty seven thousand and seven hundred only) for import of capital goods under Foreign Exchange Loan through Simon Bank Dusseldorf, West Germany.

The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence for a value of Rs. 2,56,58,000 on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purposes copy of the licence has been misplaced after having been registered with Bombay Customs Authority and having utilised partly.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public, Delhi, I am accordingly satisfied that the original Customs Purposes copy of Import Licence No. P/CG/2098330 dated 21-5-85 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes copy No. P/CG/2098330 dated 21-5-85 issued to M/s. Samrat Bicycles Ltd., New Delhi is hereby cancelled.

3. A duplicate Purposes copy of the said licence is being issued to the party separately valued at Rs. 2,56,60,600 (DM. 6351000).

[No. 1399/7/84-85/CG.I/305]

PAUL BECK, Dy. Chief Controller of Imports & Exports.

For Chief Controller of Imports and Exports

#### उद्योग मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 7 अगस्त, 87

का. धा. 2352:—केन्द्रीय सरकार ने कम्पनी कार्य विभाग में श्री सत्यपाल द्वारा, एकाधिकार तथा अवरोधक व्यापारिक व्यवहार आयोग, नई दिल्ली के सदस्य के पद से दिये गये त्याग पत्र को 25 अगस्त, 1987 पूर्वाह्न से स्वीकार कर लिया है।

[सं. पी. एफ. जी. (545)/85-प्रशा. 1]  
एल. सी. गोयल, अवर सचिव

#### MINISTRY OF INDUSTRY

(Department of Company Affairs)

New Delhi, the 7th August, 1987

S.O. 2352.—The Central Government in the Department of Company Affairs has accepted the resignation tendered by Shri M. Satyapal from the post of Member, Monopolies and Restrictive Trade Practices Commission, New Delhi with effect from the forenoon of 25th May, 1987.

[No. PFG (545)/85-Admn. II]

L. C. GOYAL, Under Secy.

(औद्योगिक विकास विभाग)

नई दिल्ली 25 अगस्त, 1987

का. धा. 2353.—केन्द्रीय सरकार सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवजहों) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रबल शक्तियों का प्रयोग करते हुए नीचे दी गई सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को जो सरकार के राजपत्रित अधिकारी की पंक्ति के समतुल्य अधिकारी हैं उक्त अधिनियम के प्रयोजनों के लिए सुरक्षित संपदा अधिकारी नियुक्त करनी है और यह निदेश देती है कि उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में त्रिनिविष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम के द्वारा या उसके अधीन संपदा अधिकारियों को प्रबल शक्तियों का प्रयोग और अधि-रोपित कार्य्यों का पालन करेगा।

#### सारणी

अधिकारी का पदाभिधान	सरकारी स्थानों के प्रबल और अधि-कारिता की स्थानीय सीमाएं
(1)	(2)
श्री भगत सिंह, अवर प्रबन्धक (विधि) राष्ट्रीय लघु उद्योग निगम लिमिटेड, नई दिल्ली, 110020	निगम के स्वामित्व उसके द्वारा अर्जित या किराए पर ली गई औद्योगिक संपदा नैनी ढाकपुर उद्योग भगर, इलाहाबाद उ.प्र. की भूमि और भवन।

[का. सं. 11/47/87-एसएम I(पी)]

पूर्ण सिंह, अवर सचिव

(Department of Industrial Development)

New Delhi, the 25th August, 1987

S.O 2353.—In exercise of the powers conferred by section 3 of the Public Premiss (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints with immediate effect the office mentioned in column (1) of the Table below being an officer equivalent to the rank of Gazetted officer of the Government to be estate officer for the purpose of the said Act and further direct that the said officer shall exercise the powers conferred and perform the duties impose on estate officers by or under the said Act within the limits of his jurisdiction in respect of public premises specified in column (2) of the said Table.

## TABLE

## MINISTRY OF ENERGY

Designation of the officer Categories of the public premises and Local Limits of Jurisdiction

Department of Power)

New Delhi, 19th August, 1987

(1)	(2)
Shri Bhagat Singh Additional Manager (Law) The National Small Industries Office Udyog Nagar Allahabad Corporation Limited New Delhi 110020	Land and buildings of the Industrial Estate, Naini Post U.P. owned acquired or hired by the Corporation

[File No. 11/47/87 SSI (P)]

PURAN SINGH, Under Secy.

ऊर्जा मंत्रालय

(विद्युत् विभाग)

नई दिल्ली, 19 अगस्त, 1987

का. प्रा. 2354 :—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिवासियों की देखरेख) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के ऊर्जा मंत्रालय (विद्युत् विभाग) की अधिसूचना सं. का. प्रा. 5404, तारीख 14 नवंबर, 1985 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी में,

(i) क्रम सं. 2 के सामने स्तम्भ 3 में,

“मंडी, बिलासपुर, कुल्लू और सोलन (हिमाचल प्रदेश) जिलों में भाखड़ा-ग्र्यास प्रबंध बोर्ड (सिंचाई और विद्युत् खंडों)” शब्दों और कोष्ठकों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“मंडी बिलासपुर, कुल्लू और सोलन (हिमाचल प्रदेश) जिलों में भाखड़ा-ग्र्यास प्रबंध बोर्ड (सिंचाई और विद्युत् खंडों)”

(ii) क्रम सं. 4 के सामने

(क) स्तम्भ 1 में “धूलकोट” शब्द के स्थान पर “जमालपुर (सुधियाना)” शब्द और कोष्ठक रखे जाएंगे;

(ख) स्तम्भ 2 में “धूलकोट, जिला अंबाला” शब्दों के स्थान पर “जमालपुर (सुधियाना)” शब्द और कोष्ठक रखे जाएंगे।

[फा. सं. 1/8/85-डी (बी एंड बी)]

के. सी. गेहानी, निदेशक (जी)

S.O. 2354.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby amends the Government of India, Ministry of Energy (Department of Power), Notification, bearing S.O. No. 5404, dated the 14th November, 1985, as follows, namely :—

In the said notification, in the Table :—

(i) against serial number 2, in column 3, for the bracket and words “(Irrigation and Power Wings) in Districts Mandi, Bilaspur Kulu” the following shall be substituted, namely :—

“(Irrigation and Power Wings) in Districts of Mandi, Bilaspur, Kullu, Solan” shall be substituted.

(ii) against serial number 4,

(a) in column 1, for the words “Dhulkote” the words and brackets “Jamalpur (Ludhiana)” shall be substituted;

(b) in column 2, for the words “Dhulkote., Distt. Ambala” the words and brackets “Jamalpur (Ludhiana)” shall be substituted.

[F. No. 1/8/85-D(B&amp;B)]

## CORRIGENDUM

S.O. 2355.—In the Notification of the Government of India, Ministry of Energy (Department of Power) bearing S.O. No. 5404, dated the 14th November, 1985 published in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 30th November, 1985, in the table —

(i) Against serial number 1, in column 3, for “districts or” read “districts of”

(ii) Against serial number 4, in columns 3, for “management control” read “manageent and control”.

[F. No. 1/8/85-D(B&amp;B)]

K. C. GEHANI, Director

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 27 अगस्त, 1987

का. प्रा. 2356.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि सूचीरा से उत्तर प्रदेश में जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोगन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग अधिकार का अर्जन) अधिनियम, 1962 (1962 का 59) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अर्थात् आवश्यक एतद्वाक्य जोरित किया है।

अतः कि उक्त भूमि में हितवन् कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए सभ्य प्राधिकारी, भारतीय गैस प्राधिकरण लि., विकास विभाग, 22, स्टेशन रोड, लखनऊ-226019 (यू. पी.) को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा साक्ष्य करने वाला हर व्यक्ति विनिश्चितता वह भी कथन करेगा कि क्या वह वास्तव में कि उसको नुनवाई अधिकार का से हो या किसी विधि व्यवसायी के मार्फत।

## अनुपूरक याच अनुसूची

## एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गांवा सं.	क्षेत्रफल	विवरण
1	2	3	4	5	6	7
इटावा	औरैया	औरैया	सलेमपुर नवलसिंह	19	0	74
				14	0	29
				2	1	03

[सं. 14016/72/84-जीपी]

## MINISTRY OF PETROLEUM

New Delhi, the 27th August, 1987

S.O. 2356.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hazira to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H. B. J. Pipeline Project, Vikas Deep Building, 22, Station Road, Lucknow-226019 Uttar Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## Supplementary Case (Schedule)

## H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acers	Remarks
1	2	3	4	5	6	7
ETAWAH	AURAIYA	AURAIYA	SALEMPUR NAWAL SINGH	19	0-74	
				14	0-29	
				2	1-03	

[No.-14016/72/84-GP]

का.भा 2357.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि हजिरा से उत्तर प्रदेश में जागीसपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा विछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को विछाने का प्रयोजन के लिए एतद्वाचक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

इसलिए कि उक्त भूमि में हिसबद कोई व्यक्ति उस भूमि के लिये पाइपलाइन विछाने के लिए आशेष सभ्य प्राधिकारी, भारतीय गैस प्राधिकरण लि., विकासदीप बिल्डिंग, 22, स्टेशन रोड, लखनऊ-226019 (यू.पी.) को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

## घनपूरक बांध यन्त्रसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

क्र.सं.	तहसील	परगना	ग्राम	चक्र न.	गाटा सं.	क्षेत्रफल एकड़	विवरण
1	2	3	4	5	6	7	
इटावा	झीरिया	झीरिया	भधुपुर	243	274 एम	0	63
			नाली	272 "		0	05
			200	270/1"		0	48
			नहर (पटरी)	270/2"		0	02
			नहर	268 "		0	92
			नहर (पटरी)	123/3"		0	03
			180	123/1 "		0	08
			चकरोड	123 "		0	03
			181	123 "		0	18
			27	123 "		0	18
			109	123/1 "		0	28
			नाली	122 "		0	03
			चकरोड	117 "		0	03
			107	116 "		0	60
			79	114 "	}	0	47
				113 "			
				118 "			
			चकरोड	118 "	}	0	02
				113 "			
			197	113 "		0	15
			196	109 "	}	0	15
				111 "			
				113 "			
			31	108मि.	}	0	36
				109 "			
			166	118 "	}	0	23
				113 "			
				107 "			
			86	118 "	}	0	23
				113 "			
				107 "			
				109 "	}	0	36
			24	105 "			
				104 "			
				106 "	}	0	36
				107 "			
				108 "			
				109 "	}	0	03
			नाली	108 "			
			ग्रा.सा.	86/6 "		0	10
			चकरोड	86/2 "		0	02
			97	86/2 "		0	18
			28	86/2 "	}	0	62
				87/2 "			
				82/2 "			
			चकरोड	82/2 "		0	02
			218	82/7 "	}	0	15
				81 "			
				80 "			



1	2	3	4	5	6	7
				201	80 एम	0 56
				नाली	77 "	0 03
				58	76/3 "	0 19
				234	76/3 "	0 18
				73	76/3 "	0 10
				चकरोद	76/3 "	0 03
				293	76/2 "	0 75
					73/4 "	
					71/2 "	
				ग्राम मा.	65/4 "	0 05
					65/5 "	0 05
					65/2 "	0 04
				37	—	8 61

[सं. 14016/78/84-जीपी.]

S.O. 2357.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hazira to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H. B. J. Pipeline Project, Vikas Deep Building, 22, Station Road, Lucknow-226019 U. P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## Supplementary Case (Schedule)

## H.B.J. Gas Pipe Line Project

District	Tal sil	Pargana	Village	Plot No.	Area in acers	Remark
1	2	3	4	5	6	7
ETAWAH	AURAIYA	AURAIYA	MADHUPUR	243	274M	0-63
			Nali		272M	0-05
				200	270/1M	0-48
			Nahar Patri		270/2M	0-02
			Nahar		268M	0-92
			Nahar Patri		123/3M	0-03
				180	123/1M	0-08
			Chakrod		123M	0-03
				181	123M	0-18
				27	123M	0-18
				109	123/1M	0-28
			Nali		122M	0-03
			Chakrod		117M	0-03
				107	116M	0-60
				79	114M } 113M } 118M }	0-47
			Chakrod		118M } 113M }	0-02
				197	113M	0-15
				196	109M } 111M } 113M }	0-15

1	2	3	4	5	6	7
ETAWAH	AURAIYA	AURAIYA	MADHUPUR	31	108M 109M	0-36
				166	118M 113M 107M	0-23
				86	118M 113M 107M 109M	0-23
				21	105M 104M 106 107M 108M 109M	0-36
			Nali		108M	0-03
			Gramshabha		86/6M	0-10
			Chakord		86/2M	0-02
				97	86/2M	0-18
				28	86/2M 87/2M 82/2M	0-62
			Chakord		82/2M	0-02
				218	82/2M 81M 80--M	0-15
			Nali	201	80M 77M	0-50 0-03
				58	76/3M	0-19
				234	76/3M	0-18
				73	76/3M	0-10
			Chakord	213	76/3M	0-03
					76/2M 73/4M 74/2M	0-75
			Gram Shabha		65/4M	0-05
					65/5M	0-05
					65/2M	0-04
					37--	8-61

[No. 14016/78/81 GP]

का आ. 2358—यन: केन्द्रीय सरकार का प्रद प्रतीत होता है कि लोकहित में यह आवश्यक है कि उर्जा में उत्तर प्रदेश में जगदीशपुर तक पेट्रोभियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यन: प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुवर्ती में बणि भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अन: अत्र पेट्रोभियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करने में केन्द्रीय सरकार ने उन में उपयोग का अधिकार अर्जित करने का अपना आण्य एतद्द्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष गक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. ब्रिजमदीप विन्डिंग, 22, स्टेशन रोड, यमुननगर-226019 या पी. को इस अधिसूचना की जारीश में 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह जानता है कि उसकी मृतवाई व्यक्तिगत रूप से हो या किसी शि व्यवसायी के मार्फत।

## अनुपूरक शब्द अनुसूची

## एच. वी. जे गैस पाइप लाइन प्रोजेक्ट

जमगद	तहसील	परगना	ग्राम	खतन	गाटान	क्षेत्रफल एकड़ डि.	विवरण
1	2	3	4	5		6	7
इटावा	औरैया	औरैया	मालेपुर	चांगेर	289 एम	0	03
				73	289/1 एम	1	10

1	2	3	4	5	6	7
रास्ता	औरैया	औरैया	माहेंपुर	40	289/1	0 30
			चकरोड		289/1	0 03
			116	{ 291/2 291/1	0	95
			9	{ 291/1 284	0	02
			46	{ 291/1 292	0	10
			71	{ 291/1 284/1 292	0	90
			37	293	0	08
			रास्ता	283	0	05
			नाली	282	0	03
			34	{ 257 250	0	25
			चकरोड	259/2	0	07
			135	259/2	0	45
			39	{ 259/2 261	0	55
			82	{ 261 260	0	30
			192	{ 259/2 260/2	0	04
			161	259/2	0	04
			160	259	0	04
			159	{ 260/2 260/2	0	05
			189	260/2	0	05
			52	260/2	0	10
			193	260/2	0	02
			चकरोड	182	0	04
			109	182	0	70
			80	{ 182 178/1	0	70
			नाली	178/1	0	03
			146	178/1	0	65
			13	{ 178/1 179	0	18
			74	{ 178/1 179	0	03
			नाली	{ 181 180	0	08
			33	181	0	10
			174	180	0	40
			100	180	0	01
			99	180	0	06
			नाली	170	0	02
			रास्ता	169	0	06
			59	154	0	70
			21	{ 145 154	0	70
			--	146	0	02
			--	150	0	30

1	2	3	4	5	6	7
हजारा	औरैया	औरैया	मालहपुर			
				149	0	18
				148	0	10
				147/1/1	0	03
				147/1/2	0	25
				147/2	0	17
				53	0	02
				52	0	01
				51	0	60
			42	42	0	68
				41	0	05
				40/1	0	32
				40/2	0	47
				40/3	0	15
				39/2	0	05
				11	0	10
			39	71	13	81

[सं. 14016/48/85-जीपी]

S.O. 2358.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hazira to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, H. B. J. pipeline Project, Vikas Deep Building, 22, Station Road, Lucknow-226019 U. P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## Supplementary Case (Schedule)

## H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres	Remark
1	2	3	4	5	6	7
ETAWAH	AURAIYA	AURAIYA	MALHEPUR	Chakrod	289/1M	0-03
				73	289/1M	1-40
				40	289/1M	0-30
				Chakrod	289M	0-03
				116	{ 291/2M	0-95
					{ 291/1M	
				9	{ 291/1M	0-02
					{ 284M	
				46	{ 291/2M	0-10
					{ 291M	
				71	{ 291/1M	0-90
					{ 284M	
					{ 292M	
				37	293M	0-08
				Rasta	283M	0-05
				Nali	282M	0-03
				34	{ 257M	0-25
					{ 258M	
				Chakrod	259/2M	0-07
				135	259/2M	0-45
				39	{ 259/2M	0-55
					{ 261M	
				82	{ 261M	0-30
					{ 260M	

1	2	3	4	5	6	7
ETAWAH	AURAIYA	AURAIYA	MALHEPUR	192	259/2 } 260/2 }	0-04
				161	259/2	0-04
				160	259/1	0-04
				159	260/2 } 260/2 }	0-05
				189	260/2	0-05
				52	260/2	0-10
				193	260/2	0-02
				Chakrod	182	0-04
				109	182	0-70
				80	182/1 } 178/1 }	0-70
				Nali	178/1	0-03
				146	178/1	0-65
				13	178/1 } 179 }	0-18
				74	178/1 } 179/1 }	0-03
				Nali	181 } 181 }	0-08
				33	181	0-10
				174	180	0-40
				100	180	0-01
				99	180/1	0-06
				Nali	170	0-02
				Rasa	169	0-06
				59	154	0-70
				21	145 } 154 }	0-70
					146	0-02
					150	0-30
					149	0-18
					148	0-10
					147/1/1	0-03
					147/1/2	0-25
					147/2	0-17
					53	0-02
					52	0-01
					51	0-60
					47	0-68
					41	0-05
					40/1	0-32
					40/2	0-47
					40/3	0-15
					38/2	0-05
					11	0-10
				39	71	13-81

का.आ. 2359—यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजौरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाईन गैस आथारिटी आफ इंडिया लि. द्वारा बिछाई जानी चाहिये।

और, यतः, यह प्रतीत होता है कि ऐसी लाईनों का बिछाने के प्रयोजन के लिये एक्टपावरड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्थ) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एक्टद्वारा घोषित किया है।

अतः, अब, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्थ) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एक्टद्वारा घोषित किया है।

और, यतः, यह प्रतीत होता है कि ऐसी लाईनों का बिछाने के प्रयोजन के लिये एक्टपावरड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्थ) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एक्टद्वारा घोषित किया है।

गांव	सर्वे नंबर	एकड़	आर	सेंटिमीटर
लोम्बी	12/1 पी	0	06	39
	13/1 पी	0	17	00
	13/3	0	09	00
	6/4	0	00	22
	6/9	0	15	20

[सं. ओ-14016/437/84-जो.पी.]

S.O. 2359.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijapur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And, whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Comre'ent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## SCHEDULE

Pipeline from Hazira — Bijapur — Jagdishpur				
State: Gujarat : District: Panchmahal Taluka: Limkheda				
Village	Survey No.	Hect-	Are	Cent-
1	2	3	4	5
Timbi	12/1 P	0	06	39
	13/1 P	0	17	00
	13/3	0	09	00
	6/4	0	00	22
	6/9	0	15	20

[No. O-14016/437/84 G.P.]

का.आ. 2360—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजौरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाईन गैस आथारिटी आफ इंडिया लि. द्वारा बिछाई जानी चाहिये।

और, यतः, यह प्रतीत होता है कि ऐसी लाईनों का बिछाने के प्रयोजन के लिये एक्टपावरड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्थ) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एक्टद्वारा घोषित किया है।

अतः, अब, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्थ) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एक्टद्वारा घोषित किया है।

और, यतः, यह प्रतीत होता है कि ऐसी लाईनों का बिछाने के प्रयोजन के लिये एक्टपावरड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

## अनुसूची

हजौरा से बरेली से जगदीशपुर तक पाईपलाईन बिछाने के लिये राज्य: गुजरात जिला: पंचमहल तालुका: लीमखेडा

गांव	सर्वे नं.	हेक्टर	आर	सेंटिमीटर
रई	256/पी	0	28	75
	256/पी	0	04	05
	256/पी	0	16	00
	261/पी	0	15	50
	261/पी	0	57	90

[सं. ओ.-14016/68/85-जो.पी.]

S.O. 2360.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijapur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira - Bijaipur-Jagdishpur

State : Gujarat District : Panchmahals Taluka : Limkheda

Village	Survey No.	Hect- are	Area Cont- aince	
(1)	(2)	(3)	(4)	(5)
Raj	256/P	0	28	75
	256/P	0	04	05
	256/P	0	16	00
	261/P	0	15	50
	261/P	0	57	90

[No. O-14016/68/84 G.P.]

का.आ. 2361.—यह, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजिरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पार्श्वलाईन गैस आथॉरिटी आफ इंडिया लि. द्वारा बिछाई जानी चाहिये।

और यह: यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पार्श्व लाईन बिछाने के लिये आशेष सक्षम प्राधिकारी, गैस आथॉरिटी आफ इंडिया लि. दर्पण बिडिया, द्वार.सी. दत्त रोड, बड़ोदरा को इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजिरा से बरेली से जगदीशपुर तक पार्श्व लाईन बिछाने के लिये

राज्य : गुजरात जिला : पंचमहाल तालुका : काशोन

गांव	सर्वे नं.	हैक्टर	आर.	सेंटियर
गेरपुरा	39/पी	0	11	00
	28/2 ए. एंड बी	0	10	00

[सं. ओ-14016/492/84-जी.पी.]

S.O. 2361.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira to Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira - Bijaipur-Jagdishpur.

State : Gujarat District : Panchmahals Taluka : Kalol

Village	Survey No.	Hect- are	Area Cont- aince	
(1)	(2)	(3)	(4)	(5)
Sherpura	39/P	0	11	00
	38/2 A & B	0	10	00

[No. O-14016/492/84-GP.]

का० आ० 1262.—यह, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजिरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पार्श्वलाईन गैस आथॉरिटी आफ इंडिया लि. द्वारा बिछाई जानी चाहिये।

और यह: यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पार्श्व लाईन बिछाने के लिए आशेष सक्षम प्राधिकारी, गैस आथॉरिटी आफ इंडिया लि., दर्पण बिडिया, द्वार.सी. दत्त रोड, बड़ोदरा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजिरा से बरेली से जगदीशपुर तक पार्श्व लाईन बिछाने के लिए

राज्य : गुजरात जिला : पंचमहाल तालुका : देवघड बारिया

गांव	सर्वे नम्बर	हैक्टर	आर.	सेंटियर
कावारी	385/पी	0	27	00
	160/पी	0	14	40
	22/1	0	15	00

[सं. ओ-14016/514/84/जी०पी०]

S.O. 2362.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijapur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira-Bijapur-Jagdishpur

State : Gujarat District : Panchmahal Taluka : D Baria

Village	Survey No.	Hect-are	Are.	Centiare
(1)	(2)	(3)	(4)	(5)
Roovabari	385/P	0	27	00
	160/P	0	14	40
	22/1	0	15	00

[No. O-14016/514/84 G.P.]

का० आ० 2363:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजोरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन गैस ऑथोरिटी ऑफ इण्डिया लि. द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी ज़मीनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवश कोई व्यक्ति, उस भूमि के लिये पाइप लाइन बिछाने के लिए आक्षेप भक्षण प्राधिकारी, गैस ऑथोरिटी ऑफ इण्डिया लि., दर्पण बिल्डिंग, आर० सी० वन रोड, बिडोरा को उस अधिसूचना की तारीख मं. 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करते वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसका सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी को मार्केट।

#### अनुसूची

हजोरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए

राज्य:—गुजरात जिला:—पंचमहाल तालुका:—दाहोद

गांव	सर्वे नं०	हेक्टर	घार	सेन्टायर
चंदबारा	371/1,2	0	13	00
	371/3	0	11	00
	353/3	0	04	65
	353/4/बी	0	05	20
	353/4/पी	0	04	76
	357	0	09	52
	354	0	33	15
	355/पी	0	43	65

[मं० ओ०-14016/434/84/जी०पी०]

S.O. 2363.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijapur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira-Bijapur-Jagdishpur

State : Gujarat District : Panchmahal Taluka : Dahod

Village	Survey No.	Hect-are	Are.	Centiare
(1)	(2)	(3)	(4)	(5)
Chaudavana	371/1/P	0	13	00
	371/3	0	11	00
	353/3	0	04	65
	353/4/P	0	05	20
	353/4/P	0	04	76
	357	0	09	52
	354	0	33	15
	355/P	0	43	65

No. O-14016/434/84-G.P.]

का० आ० 2364:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजोरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन गैस ऑथोरिटी ऑफ इण्डिया लि. द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी ज़मीनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।



अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

यद्यपि कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस ओथोरोटी ऑफ इण्डिया लि० दर्पण बिल्डींग, आर० सी० दत्त रोड, वडोदरा को इस अधिसूचना की तारीख 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टता यह भी कथन करेगा कि क्या वह चाहता है कि उसका मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी का मार्फत।

## अनुसूची

हजिरा से बरेली से जगदीशपुर तक पाईप लाइन बिछाने के लिए

राज्य :- गुजरात जिला :- पंचमहाल तालुका-देवगढ़ बाधया

गांव	सर्वे नं०	हेक्टर	आर	सन्टोयर
गोलाव	873	0	00	40
	139/पी	0	04	00

[सं० ओ०-14016/462/84-जी० पो०]

S.O. 2364.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## SCHEDULE

Pipeline from Hazira - Bijaipur-Jagdishpur

State : Gujarat District : Panchmahals Taluka : D'Baria

Village	Survey No.	Hect- are	Are	Cent- naire
(1)	(2)	(3)	(4)	(5)
Golav	873	0	00	40
	139/P	0	04	00

[No. O—14016/462/84/G.P.]

का० आ० 2365.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजिरा से विजयपुर से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाइन गैस ओथोरोटी ऑफ इण्डिया लि० द्वारा बिछाई जानी चाहिए।

822-G of 187—4

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

यद्यपि कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस ओथोरोटी ऑफ इण्डिया लि० दर्पण बिल्डींग आर० सी० दत्त रोड, वडोदरा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टता यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत है या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

हजिरा से विजयपुर से जगदीशपुर गैस पाईप लाइन

गुजरात स्टेट	जिला बड़ोदा	तालुका	वाघोडीया	
गांव	सर्वे नं०	हेक्टर	आर	सन्ट आर
बमनोया	56/6	0	15	00

[सं० ओ०-14016/75/84-जी० पो०]

S.O. 2365.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## SCHEDULE

Pipeline from Hazira-Bijaipur-Jagdishpur

State : Gujarat District : Baroda Taluka : Waghodia

Village	Survey No.	Hect- are	Are	Cent- naire
(1)	(2)	(3)	(4)	(5)
Vesaniya	56/6	0	15	00

[No. O—14016/75/84/G.P.]

का० आ० 2366.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजिरा से विजयपुर—जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाइन गैस ओथोरोटी ऑफ इण्डिया द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आणव्य एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस ओथोरीटी आफ इन्डिया लि., वर्पण बिल्डिंग, आर. सी. दत्त रोड, वडोदरा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजिरा-बीजापुर-जगदीशपुर पाईप लाईन  
गुजरात स्टेट, जिला वडोदरा तालुका वाघोडीया

गांव	सर्वे नंबर	हे.	आर.	से.
मवेली	750/2	0	00	04
	265	0	04	05
	244	0	00	94

[सं. O-14016/2/84 जी. पी.]

S.O. 2366.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building, R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE

Pipeline from Hazira - Bijaipur - Jagdishpur

State : Gujarat District : Vadodara Taluka : Vaghodia

Village	Survey No.	Hect- are	Are.	Cent- tiars
(1)	(2)	(3)	(4)	(5)
Madheli	750/2	0	00	74
	265	0	04	05
	244	0	00	94

[No O-14016/2/84-G.P.]

का. आ. 2367.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजिरा बरेली से जगदीशपुर पेट्रोलियम के परिवहन के लिये पाईपलाईन गैस ओथोरीटी आफ इन्डिया लि. द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आणव्य एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस ओथोरीटी आफ इन्डिया लि., वर्पण बिल्डिंग, आर. सी. दत्त रोड, वडोदरा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजिरा से बिजापुर से जगदीशपुर तक पाईप लाईन बिछाने के लिए

राज्य गुजरात जिला पंचमहाल तालुका हालोल

गांव	सर्वे नं.	हे.	आर.	से.
वरसदा	76/5	0	06	00

[सं. O-14016/456/84-जी. पी.]

S.O. 2367.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building, R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

#### SCHEDULE

Pipeline from Hazira - Bijaipur - Jagdishpur

State : Gujarat District : Panchmahal Taluka : Halol

Village	Survey No.	Hect- are	Are.	Cent- tiars
(1)	(2)	(3)	(4)	(5)
Varsada	76/5	0	06	00

[No O-14016/456/84-G.P.]

का. भा. 2368.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजीरा में ब्रजपुर —जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाईन गैस प्रोपेरेटी ऑफ इन्डिया लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बतान कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस प्रोपेरेटी ऑफ इन्डिया लि. वर्पण बिल्डिंग, आर. सी. दत्त रोड, वडोदरा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह चाहता है कि मृतवाइ व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजीरा से ब्रजपुर जगदीशपुर पाईप लाईन

राज्य : गुजरात	जिला : बड़ोदा	तालुका : बाघोडीया
गांव	सर्वे नं.	हे. आर. से.
गुताल	785/7	0 0 63
	356	0 01 01
[सं. O-14016/28/84 जी. पी.]		

S.O. 2368.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India, Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira to Bijaipur Jagdishpur

State : Gujarat	District : Baroda	Taluka : Waghodia
Village	Survey No.	Hect- Are Centiare
Gutal	785/7	0 0 63
	356	0 01 01
[No. O-14016/28/84 G.P.]		

का. भा. 2369.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजीरा ब्रजपुर —जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाईपलाईन गैस प्रोपेरेटी ऑफ इन्डिया लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वशतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस प्रोपेरेटी ऑफ इन्डिया लि. वर्पण बिल्डिंग आर. सी. दत्त रोड, वडोदरा को अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी मृतवाइ व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

#### अनुसूची

हजीरा से ब्रजपुर जगदीशपुर पाईप लाईन

राज्य : गुजरात	जिला : बड़ोदा	तालुका : बाघोडीया
गांव	सर्वे नं.	हे. आर. से.
वाघोडीया	625/3	0 2 72

[सं. O-14016 / 29/84 ओ. एन. जी. ई 4]

S.O. 2369.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hazira—Bijaipur to Jagdishpur pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India, Darpan Building R. C. Dutt Road, VADODARA-5.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

Pipeline from Hazira - Bijaipur -Jagdishpur

State : Gujarat	District : Baroda	Taluka : Waghodia
Village	Survey No.	Hect- Are Centiare
Waghodia	625/3	0 2 72
[No. O-14016/29/84-ONGD-4]		

का. आ. 2370-पेट्रोलियम एवं खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा (3) के खण्ड (अ) के अनुसरण में केंद्रीय सरकार नीचे दी गयी अनुसूची के कालम 1 में उल्लिखित प्राधिकारी को उक्त कालम (3) की तदनुसूची प्रविष्टि में उल्लिखित क्षेत्र की सीमाओं के भीतर उक्त अधिनियम के अन्तर्गत सक्षम प्राधिकारी के कार्य करने के लिए एतद्वारा प्राधिकृत करती है।

## अनुसूची

व्यक्ति का नाम	पता	क्षेत्रीय सीमा
1	2	3
सम्पर्क अधिकारी	गैस ऑथोरिटी ऑफ इन्डिया लिमिटेड, चौथी मंजिल, सम्राट होटल, चानक्यपुरी, नई दिल्ली।	हरियाणा

[सं. O-14016 / 45 / 85 जी.पी.]

S.O. 2370 :—In pursuance of clause (a) of section 2 of the Petroleum & Mineral Pipelines (Acquisition of Right of users in land) Act, 1962 (50 of 1962) the Central Government hereby authorises the authority mentioned in column 1 of the schedule below to perform the function of competent authority under the said act within the area mentioned in the corresponding entry in the column 3 of the said Schedule

## SCHEDULE

Name of Person	Address	Territorial Jurisdiction
1	2	3
Liaison Officer/s	Gas Authority of India Ltd. 4th Floor, Hotel Samrat, Chanakyapuri New Delhi	State of Haryana

[No. O-14016/45/85 G P]

का. आ. 2371-पेट्रोलियम एवं खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा (3) के खण्ड (अ) के अनुसरण में केंद्रीय सरकार नीचे दी गयी अनुसूची के कालम 1 में उल्लिखित प्राधिकारी को उक्त कालम (3) की तदनुसूची प्रविष्टि में उल्लिखित क्षेत्र की सीमाओं के भीतर उक्त अधिनियम के अन्तर्गत सक्षम प्राधिकारी के कार्य करने के लिए एतद्वारा प्राधिकृत करती है।

## अनुसूची

व्यक्ति का नाम	पता	क्षेत्रीय सीमा
1	2	3
सम्पर्क अधिकारी	गैस ऑथोरिटी ऑफ इन्डिया लिमिटेड, चौथी मंजिल, सम्राट होटल, चानक्यपुरी, नई दिल्ली।	दिल्ली

[सं. O-14016 / 45 / 85 जी.पी.]

राकेश कनकड, उप सचिव

S.O. 2371.—In pursuance of clause (a) of Section 2 of the Petroleum and Mineral pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government hereby authorises the authority mentioned in column 1 of the schedule below to perform the function of competent authority under the said Act within the area mentioned in the corresponding entry in the column 3 of the said schedule.

## SCHEDULE

Name of Person	Address	Territorial Jurisdiction
1	2	3
Liaison Officer/s	Gas Authority of India Ltd. 4th Floor, Hotel Samrat, Chanakyapuri, New Delhi.	U.T. of Delhi

[O-14016/45/85-G.P.]

## संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 25 अगस्त, 1987

का. आ. 2372-स्वायं आदेश संख्या 627 दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक दूरसंचार विभाग ने व्यास टेलीफोन केन्द्र गुजरात सकल, दिनांक 4-9-1987 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या, 5-10/87 पी एच बी]

[पी. आर. काराटो, सहायक महानिदेशक (पी. एच. बी.)]

## MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 25th August, 1987

S.O. 2372.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 4-9-1987 as the date on which the Measured Rate System will be introduced in Vyara Telephone Exchange under Surat Telecom. District.

[No. 5-10/87-PHB]

P. R. KARRA, Asstt. Director General (PHB)

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 24 जुलाई, 1987

का. आ. 2373-राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) और (4) के अनुसरण में रेल मंत्रालय, रेलवे बोर्ड पश्चिम, दक्षिण-मध्य और मध्य रेलों के निम्नलिखित कार्यालयों को, जहाँ के कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है:—

दक्षिण-मध्य रेलवे

हैदराबाद मंडल

1. ब्लोको फोरमैन, खंडवा
2. स्टेशन अधीक्षक/खंडवा
3. रेल पथनिरीक्षक/खंडवा

## पश्चिम रेलवे

## कोटा मंडल

रतनाम मंडल			
4. स्टेशन अधीक्षक, दाहोद	59. मुख्य स्वास्थ्य निरीक्षक, कोटा		
5. निर्माण निरीक्षक (1), दाहोद	60. स्वास्थ्य निरीक्षक, शामगढ़		
6. निर्माण निरीक्षक (2), दाहोद	61. " " गुना		
7. रेल पथ निरीक्षक (उत्तर), दाहोद	62. " " मन्दाई माधोपुर		
8. रेल पथ निरीक्षक (दक्षिण), दाहोद	63. " " गंगापुर सिटी		
9. मुख्य सिगनल निरीक्षक, दाहोद	64. " " बयाना		
10. निर्माण निरीक्षक, मेघनगर	65. " " भरतपुर		
11. रेल पथ निरीक्षक, मेघनगर	66. " " ईदगाह आगरा		
12. स्टेशन अधीक्षक, नागदा	67. " " आगरा ईस्ट ब्रैक		
13. रेल पथ निरीक्षक, नागदा	68. निर्माण निरीक्षक, शामगढ़		
14. रेल पथ निरीक्षक (डिप्टी) नागदा	69. " " भवानी मंडी		
15. स्टेशन अधीक्षक, उज्जैन	70. " " कोटा (i)		
16. निर्माण निरीक्षक, उज्जैन	71. " " कोटा (ii)		
17. रेल पथ निरीक्षक, उज्जैन	72. " " कोटा (संगल)		
18. वरिष्ठ बिजर्मी चार्जमैन, उज्जैन	73. " " कोटा (अलदाय)		
19. मुख्य सिगनल निरीक्षक, उज्जैन	74. " " गुना		
20. बैगन फोरमैन/ लोको फोरमैन, उज्जैन	75. " " मन्दाई माधोपुर		
21. रेल पथ निरीक्षक, मेरसा	76. " " गंगापुर सिटी		
22. रेल पथ निरीक्षक, साहोद	77. " " बयाना		
23. स्टेशन अधीक्षक, महु	78. " " भरतपुर		
24. लोको फोरमैन, महु	79. " " ईदगाह		
25. फोरमैन, महु	80. रेल पथ निरीक्षक, बिक्रमगढ़ आलीट		
26. मुख्य सिगनल निरीक्षक, महु	81. " " शामगढ़		
27. रेल पथ निरीक्षक, महु	82. " " भवानी मंडी		
28. निर्माण निरीक्षक, महु	83. " " रामगंज मंडी		
29. सहायक बिजर्मी फोरमैन, महु	84. " " कोटा (दक्षिण)		
30. स्टेशन अधीक्षक, इंदौर	85. " " कोटा (उत्तर)		
31. स्टेशन अधीक्षक, लक्ष्मीबाई नगर	86. " " कोटा (भंडार)		
32. फोरमैन, लक्ष्मीबाई नगर	87. " " लाबोरी		
33. स्टेशन अधीक्षक, नोमच	88. " " इंदगाढ़ सुमेरगाढ़ मंडी		
34. लोको फोरमैन, नोमच	89. " " मन्दाई माधोपुर		
35. मुख्य सिगनल निरीक्षक, नोमच	90. " " मन्दाई माधोपुर (सी टी आर)		
36. निर्माण निरीक्षक, नोमच	91. " " मन्दाई माधोपुर (पी एम् आर एन)		
37. रेल पथ निरीक्षक, नोमच	92. " " गंगापुर सिटी (उत्तर)		
38. स्टेशन अधीक्षक, चित्तौड़गढ़	93. " " गंगापुर सिटी (दक्षिण)		
39. बैगन फोरमैन, चित्तौड़गढ़	94. " " बयाना		
40. लोको फोरमैन, चित्तौड़गढ़	95. " " हिडोल		
41. वरिष्ठ बिजर्मी चार्जमैन, चित्तौड़गढ़	96. " " भरतपुर		
42. निर्माण निरीक्षक, भोलवाड़ा	97. " " भरतपुर (सी टी आर)		
43. रेल पथ निरीक्षक, भोलवाड़ा	98. " " ईदगाह		
44. गेकड़ कार्यालय, रतलाम	99. " " बारा		
45. बैगन कार्यालय, रतलाम	100. " " बारा (सी टी आर)		
46. सहायक पुल इन्जिनियर, रतलाम	101. " " गुना		
47. लोको फोरमैन, रतलाम	102. " " अशोक नगर		
48. बैगन फोरमैन (डाऊन यार्ड), रतलाम	103. स्टेशन अधीक्षक, महिपुर रोड		
49. वरिष्ठ बिजर्मी फोरमैन, रतलाम	104. " " बिक्रमगढ़ आलीट		
50. मुख्य सिगनल निरीक्षक, रतलाम	105. " " चौमेहला		
51. मुख्य दूर संचार निरीक्षक (अनुप्रेषण), रतलाम	106. " " मुखावदा		
52. मुख्य दूर संचार निरीक्षक (मुख्य तरंग), रतलाम	107. " " शामगढ़		
53. निर्माण निरीक्षक (1), रतलाम	108. " " गरीड		
54. निर्माण निरीक्षक (2), रतलाम	109. " " भवानी मंडी		
55. रेल पथ निरीक्षक (उत्तर), रतलाम	110. " " जालावाड़ मंडी		
56. रेल पथ निरीक्षक (दक्षिण), रतलाम	111. " " मोरवा		
57. निरीक्षक रेल सुरक्षा बर्न, रतलाम	112. " " इरा		
58. फोरमैन (पी) रतलाम	113. " " गंगापुर मंडी		
	114. " " अलनिया		

115.	स्टेशन अधीक्षक	दाढ़ वैली	170.	रेलवे प्राइमरी स्कूल	यमुना त्रिज
116.	"	कोट जंक्शन	171.	"	सवाई माधोपुर
117.	"	गुडला	172.	"	शानिगढ़
118.	"	केशोराम पाटन	173.	"	गंगापुर सिटी
119.	"	कापरेन	174.	"	कोटा (एम सी)
120.	"	सवान	175.	"	कोटा (नौको)
121.	"	लाखेरी	176.	"	कोटा (डब्ल्यू आर एम)
122.	"	डडगढ़ मुख्यालय मंडी	177.	रेलवे मिडिल स्कूल, कोटा	
123.	"	बांजना डुंगर	178.	रेलवे सेकेंडरी स्कूल, गंगापुर सिटी	
124.	"	सवाई माधोपुर	179.	पुल निरीक्षक, कोटा	
125.	"	मनारना	180.	पुल निरीक्षक, आगरा फोर्ट	
126.	"	नारायणपुर टटवारा	181.	व. विद्युत् चार्जमैन, भरतपुर	
127.	"	गंगापुर सिटी	182.	य. विद्युत् चार्जमैन, सवाई माधोपुर	
128.	"	श्री महावीर जी	183.	विद्युत् मिस्त्री, मधुग जंक्शन	
129.	"	त्रिशोन सिटी	184.	शाप अधीक्षक (गाड़ी प्रकाश) नया दिल्ली	
130.	"	बयाना	185.	विद्युत् चार्जमैन, दिल्ली	
131.	"	भरतपुर		(अजमेर वर्कशॉप)	
132.	"	जाजन पट्टी	186.	शाना प्रताप नगर कारखाना, उदयपुर	
133.	"	गेडमौरामपुर		जयपुर मंडल	
134.	"	मधुग (साधी)	187.	महायक मंडल चिकित्सा अधिकारी, फुलेरा	
135.	"	मिडिकुर	188.	"	अछनेरा
136.	"	रूपबाम	189.	"	रीगम
137.	"	फतेहपुर सीकर	190.	"	सीकर
138.	"	ईदगाह	191.	मुख्य स्वास्थ्य निरीक्षक, जयपुर	
139.	"	आगरा फोर्ट	192.	स्वास्थ्य निरीक्षक, बांदीकुई	
140.	"	जमुना त्रिज	193.	"	फुलेरा
141.	"	बारा	194.	"	अछनेरा
142.	"	अल्ता	195.	"	सीकर
143.	"	सायपुरा	196.	रेलवे नृत्तन प्राथमिक शाला, जयपुर	
144.	"	छबडा गुणोर	197.	बालिका प्राथमिक शाला (i), बांदीकुई	
145.	"	रुठियाई	198.	प्राथमिक हिंदी माध्यम स्कूल, बांदीकुई	
146.	"	गुना	199.	प्राथमिक अंग्रेजी माध्यम स्कूल, बांदीकुई	
147.	"	अमोक्तनगर	200.	प्राथमिक अंग्रेजी माध्यम स्कूल, फुलेरा	
148.	"	मंगाबली	201.	प्राथमिक हिंदी माध्यम स्कूल, फुलेरा	
149.	विद्युत् फोरमैन, शानगढ़		202.	प्राथमिक हिंदी माध्यम स्कूल, अछनेरा	
150.	परिष्कृत विद्युत् फोरमैन, गंगापुर सिटी		203.	एरिया ट्रेनिंग स्कूल, बांदीकुई	
151.	"	आगरा फोर्ट	204.	रेलवे प्राथमिक शाला, रीगम	
152.	"	गुना	205.	निर्माण निरीक्षक (दक्षिण)-1, जयपुर	
153.	शाप अधीक्षक (पावर), कोटा		206.	निर्माण निरीक्षक (दक्षिण)-ii, जयपुर	
154.	मुख्य संकेत निरीक्षक, चित्तमगढ़ आगोट		207.	निर्माण निरीक्षक (उत्तर), जयपुर	
155.	"	शानगढ़	208.	निर्माण निरीक्षक, सीकर	
156.	"	कोटा (उत्तर)	209.	निर्माण निरीक्षक, नाराजीव	
157.	"	कोटा (दक्षिण)	210.	"	(i) बांदीकुई
158.	"	सवाई माधोपुर	211.	"	(ii) बांदीकुई
159.	"	गंगापुर सिटी	212.	"	अछनेरा
160.	"	बयाना	213.	"	फुलेरा
161.	"	आगरा फोर्ट	214.	"	अलवर
162.	"	भरतपुर	215.	रेलवे निरीक्षक (थार), अलवर	
163.	नौको फोरमैन, कोटा		216.	पुल निरीक्षक, बांदीकुई	
164.	"	गंगापुर सिटी	217.	रेल वेव निरीक्षक, फतेहपुर शेखावट	
165.	रतन गेड मुख्यालय, शानगढ़		218.	"	सीकर
166.	"	ईदगाह	219.	"	अजमेर
167.	"	गुना	220.	"	वनस्पती निवार
168.	बायलर मेकर चार्जमैन, सवाई माधोपुर				
169.	रेलवे प्राइमरी स्कूल, शानगढ़ ईदगाह				

221.	रेल पथ निरीक्षक	स्टेशन	277	स्टेशन प्रमुख	चौधूरी लामोद
222.	"	कावट	278	"	इशर का बानाजी
223.	"	गंगम	279	"	बाईस गोदाम
224.	"	(इन्जिन), जयपुर	280	"	मांगानेर जं.
225.	"	(उत्तर), जयपुर	281.	"	बनस्पती निवाडी
226.	"	(डिपो) गंगम	282.	"	नीप का बरवाड़ा
227.	"	अछनेरा	283	"	फतेहपुर जैसावती
228.	"	अनवर	284.	"	लक्ष्मणगढ़ सीकर
229.	"	किशनगढ़	285.	"	फुलेरा
230.	"	फुलेरा	286.	"	इन्दोदा मुकुन्दगढ़
231.	रेल पथ निरीक्षक (1), बांसीकुई		287.	"	नखतगढ़
232.	रेल पथ निरीक्षक (2), बांसीकुई		288.	स्टेशन मास्टर	गोगल आखरी
233.	स्टेशन प्रमुख	जयपुर	289.	"	महाबर्गिया
234.	"	बांसीकुई	290.	"	नेलोना
235.	"	लाङपुरा	291.	"	गाली
236.	"	किशनगढ़	292.	"	माखून
237.	"	निलोनिया	293.	"	दातड़ा
238.	"	नरेना	294.	"	भाबला
239.	"	हिरनोदा	295.	"	धानक्या
240.	"	आमलपुर जौबनेर	296.	"	आमोपुरा
241.	"	बोबाम	297.	"	कानीना
242.	"	फनकपुरा	298.	"	सर
243.	"	गांधीनगर, जयपुर	299.	"	बामलो
244.	"	गोटोर जगतपुरा	300	"	जटवडाडा
245.	"	बस्मी	301.	"	भंडाना
246.	"	दोस्मा	302	"	आन भाकरी
247.	"	अरनिया	303	"	कोनवाग्राम
248.	"	बमवा	304.	"	भाकरी
249.	"	राजगढ़	305.	"	डिगाबडा
250.	"	मालाखेरा	306	"	महुवा
251.	"	अनवर	307	"	पट्टीमल
252.	"	खैरथल	308	"	अजरका
253.	"	हरसीनी	309.	"	बिवाई
254.	"	बावल	310	"	करनपुरा
255.	"	मंडावर महुवा रोड	311	"	धोमराना
256.	"	खेडली	312.	"	हेवक
257.	"	नदबई	313	"	इकरत
258.	"	अछनेरा	314	"	चिकराना
259.	"	बिचपुरी	315	"	रायभा
260.	"	रैनवाल	316	"	पीपली का बाभ
261.	"	बघाल	317.	"	खेडेल
262.	"	नीमल	318	"	मचोईया
263	"	श्रीमारांपुर	319	"	मेमलाना
264.	"	कावट	320	"	पसार मलिकपुर
265.	"	नीम का थाना	321.	"	किशनमानपुरा
266.	"	मांझड़ा	322.	"	काचिरा
267.	"	डाबला	323.	"	भागेगा
268.	"	निजामपुर	324.	"	झिनो
269.	"	नारनोन	325.	"	अमरपुर जोरासी
270.	"	अटेमी	326.	"	गिमाना
271.	"	कूड	327.	"	मिर्जापुर बाछोद
272.	"	खोरी	328.	"	काठुबाम
273.	"	मृजगढ़	329.	"	बिड़ावा
274.	"	पुझन	330.	"	रतनगहर
275.	"	सीकर	331	"	नया
276.	"	गोविंदगढ़ मलिकपुर	332.	"	अरधी दादिया

333.	स्टेशन मास्टर	लोरीगा	389.	जयपुर (सी आई बी)
334.	"	पलसाना	390.	जयपुर (एन आई बी)
335.	"	बावडी ठिकरिया	391.	सहायक उप निरीक्षक रेल सुरक्षा बल, अलवर
336.	"	नींदड़ बेनाड़	392.	सहायक उप निरीक्षक रेल सुरक्षा बल सीकर मध्य रेलवे
337.	"	दुर्गापुरा		
338.	"	श्रीदासपुरा पदमपुरा		बम्बई मंडल
339.	"	चाकभु	393.	स्टेशन अधीक्षक, दादर
340.	"	सिरस		भुसावळ मंडल
341.	"	ईसरदा	394.	स्टेशन अधीक्षक, इटारसी
342.	"	देवपुरा	395.	" हरदा
343.	"	चित्तोडा रेतवाल	396.	" बुरहानपुर
344.	"	टोडाराय सिंह	397.	" अकोला
345.	"	बमवा		जबलपुर मंडल
346.	"	रामगढ़ शेखावटी	398.	मुख्य यार्डमास्टर जबलपुर
347.	"	कायमसर	399.	मुख्य सवारी एवं माल डिब्बा अधीक्षक, जबलपुर
348.	परिवहन निरीक्षक,	जयपुर		आंसी मंडल
349.	"	बांदीकुई	400.	चिकित्सा अधीक्षक, आंसी
350.	"	रेवाडी	401.	रेल पथ निरीक्षक, फरीदाबाद
351.	"	फुलेरा	402.	रेल पथ निरीक्षक, पलवल
352.	"	सीकर	403.	रेल पथ निरीक्षक, कोसीकला
353.	लोको फोरमैन,	जयपुर	404.	मुख्य रेल पथ निरीक्षक, मथुरा जंक्शन
354.	"	फुलेरा	405.	स्टेशन अधीक्षक, उरई
355.	"	बांदीकुई	406.	सहायक इंजीनियर, मथुरा जंक्शन
356.	कैरिज फोरमैन,	जयपुर	407.	रेल पथ निरीक्षक धौलपुर (छोटी लाईन)
357.	"	सीकर	408.	लोको फोरमैन ग्वालियर
358.	"	आगरा फोर्ट		सोलापुर मंडल
359.	फिटर ईंजार्ज,	मवाई माधोार	409.	लोको फोरमैन, कुर्दवाडी
360.	"	ईंदगाह आगरा	410.	रेल पथ निरीक्षक (बड़ी लाईन) कुर्दवाडी
361.	"	अछनेरा	411.	" (छोटी लाईन) कुर्दवाडी
362.	मंडल सहायक यांत्रिक इंजीनियर (डी), फुलेरा		412.	कार्य निरीक्षक (बड़ी लाईन), कुर्दवाडी
363.	वाणिज्य निरीक्षक,	रेवाडी	413.	" (छोटी लाईन) कुर्दवाडी
364.	"	बांदीकुई	414.	स्टेशन अधीक्षक कुर्दवाडी
365.	"	सीकर	415.	सवारी व माल डिब्बा अधीक्षक, कुर्दवाडी
366.	"	फुलेरा	416.	विद्युत् चार्जमैन, कुर्दवाडी
367.	मंडल मुख्य टिकट निरीक्षक जयपुर		417.	निरीक्षक रेल सुरक्षा बल कुर्दवाडी
368.	खानपान निरीक्षक,	जयपुर	418.	सहायक इंजीनियर दौंड
369.	मुख्य प्रचार निरीक्षक,	जयपुर	419.	क्षेत्रीय अधिकारी दौंड
370.	मुख्य सिगनल निरीक्षक,	फुलेरा	420.	स्टेशन अधीक्षक दौंड
371.	"	बांदीकुई	421.	रेल पथ निरीक्षक (उत्तर) दौंड
372.	"	जयपुर	422.	रेल पथ निरीक्षक (दक्षिण) दौंड
373.	"	(निर्माण) जयपुर	423.	निरीक्षक रेल सुरक्षा बल, दौंड
374.	वरिष्ठ बिजली फोरमैन (गाड़ी प्रकाश) जयपुर		424.	कार्य निरीक्षक दौंड
375.	"	(पावर) जयपुर	425.	विद्युत् फोरमैन दौंड
376.	"	(निर्माण) जयपुर	426.	सिगनल निरीक्षक दौंड
377.	"	फुलेरा	427.	सहायक मंडल चिकित्सा अधिकारी, अहमदनगर
378.	"	अछनेरा	428.	सहायक इंजीनियर अहमदनगर
379.	वरिष्ठ बिजली चार्जमैन सीकर		429.	कार्य निरीक्षक, अहमदनगर
380.	मुख्य गाड़ी प्रकाश निरीक्षक जयपुर		430.	स्टेशन अधीक्षक अहमदनगर
381.	निरीक्षक रेल सुरक्षा बल बांदीकुई		431.	रेल पथ निरीक्षक, अहमदनगर
382.	"	फुलेरा	432.	निरीक्षक, रेल सुरक्षा बल अहमदनगर
383.	"	रीगस		
384.	"	अछनेरा		
385.	"	जयपुर		
386.	"	जयपुर (मुख्यालय)		
387.	"	जयपुर (क्याटेर मास्टर)		
388.	"	जयपुर (प्रोसीक्यूशन)		



433. सहायक मंडल चिकित्सा अधिकारी पुणतला
434. लोको फोरमैन पुणतला
435. स्टेशन अधीक्षक, पंढरपुर
436. सहायक चिकित्सा अधिकारी, पंढरपुर
437. रेल पथ निरीक्षक मिरज
438. सहायक इंजीनियर सोलापुर
439. चिकित्सा अधीक्षक सोलापुर
440. रेल पथ निरीक्षक सोलापुर
441. निरीक्षक रेल सुरक्षा बल सोलापुर
442. मुख्य सिग्नल निरीक्षक (निर्माण) सोलापुर
443. सिग्नल निरीक्षक (अनुरक्षण) सोलापुर
444. विद्युत् फोरमैन (अनुरक्षण) सोलापुर
445. स्टेशन अधीक्षक, सोलापुर
446. सवारी ब माल डब्बा अधीक्षक, सोलापुर
447. कार्य निरीक्षक (अनुरक्षण), सोलापुर
448. लोको फोरमैन सोलापुर
449. रेल पथ निरीक्षक (विपी) सोलापुर
450. मुख्य दूर संचार निरीक्षक, सोलापुर
451. विद्युत् बार्जमैन "ए" घोरपडी पुणे।

[सं० हिन्दी-87/रा०भा०-1/12/2]

एस. एम. वैश सचिव, रेलवे बोर्ड, तथा  
भारत सरकार के पदेन संयुक्त सचिव

## MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 24th July, 1987

S.O. 2373.—In pursuance of Sub-Rule (2) and (4) of Rule 10 of the Official Languages (Use for the Official Purposes of the Union) Rules, 1976, the Ministry of Railways (Railway Board) hereby notify the following offices of Western, South Central and Central Railways where the staff have acquired the working knowledge of Hindi:—

## SOUTH CENTRAL RAILWAYS

## HYDERABAD DIVISION

1. Loco Foreman, Khandwa.
2. Station Superintendent, Khandwa.
3. P. W. I., Khandwa.

## WESTERN RAILWAY

## RATLAM DIVISION

4. Station Superintendent, Dahod.
5. I. O. W. (1), Dahod.
6. I. O. W. (2), Dahod.
7. P. W. I. (North), Dahod.
8. P. W. I. (South), Dahod.
9. Chief Signal Inspector, Dahod.
10. I. O. W., Meghnagar.
11. P. W. I., Meghnagar.
12. Station Superintendent, Nagada.
13. P. W. I., Nagada.
14. P. W. I. (Depot), Nagada.
15. Station Superintendent, Ujjain.
16. I. O. W., Ujjain.
17. P. W. I., Ujjain.

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18. Senior Electrical Chargeman, Ujjain.
19. Chief Signal Inspector, Ujjain.
20. Wagon Foreman/Loco Foreman, Ujjain.
21. P. W. I., Meksi.
22. P. W. I. Sihor.
23. Station Superintendent, Mhow.
24. Loco Foreman, Mhow.
25. Carriage Foreman, Mhow.
26. Chief Signal Inspector, Mhow.
27. P. W. I., Mhow.
28. I. O. W., Mhow.
29. Assistant Electrical Foreman, Mhow.
30. Station Superintendent, Indore.
31. Station Superintendent, Laxmibai Nagar.
32. Carriage Foreman, Laxmibai Nagar.
33. Station Superintendent, Neemuch.
34. Loco Foreman, Neemuch.
35. Chief Signal Inspector, Neemuch.
36. I. O. W., Neemuch.
37. P. W. I., Neemuch.
38. Station Superintendent, Chittorgarh.
39. Wagon Foreman, Chittorgarh.
40. Loco Foreman, Chittorgarh.
41. Senior Electrical Chargeman, Chittorgarh.
42. I. O. W., Bhilwara.
43. P. W. I., Bhilwara.
44. Cash Office, Ratlam.
45. Pay Office, Ratlam.
46. Assistant Bridge Engineer, Ratlam.
47. Loco Foreman, Ratlam.
48. Wagon Foreman (Down Yard), Ratlam.
49. Senior Electrical Foreman, Ratlam.
50. Chief Signal Inspector, Ratlam.
51. Chief Telecom. Inspector (Maintenance), Ratlam.
52. Chief Telecom. Inspector (Microwave), Ratlam.
53. I. O. W. (1), Ratlam.
54. I.O.W. (2), Ratlam.
55. P. W. I. (North), Ratlam.
56. P. W. I. (South), Ratlam.
57. Inspector, R. P. F., Ratlam.
58. Carriage Foreman (P), Ratlam.

## KOTA DIVISION

59. Chief Health Inspector Kota.
60. Health Inspector, Sharnagar.
61. Health Inspector, Guna.
62. Health Inspector, Sawai Madhopur.
63. Health Inspector Gangapur City.
64. Health Inspector, Bayana.
65. Health Inspector, Bharatpur.
66. Health Inspector, Idgah Agra.
67. Health Inspector, Agra East Bank.
68. I. O. W. Sharnagar.
69. I. O. W. Bhawanji Mandi.
70. I. O. W. Kota (1).
71. I. O. W. Kota (2).
72. I.O.W. Kota (Special).

73. I.O.W. Kota (Water Supply).
74. I. O. W. Guna.
75. I. O. W. Sawai Madhopur.
76. I. O. W. Gangapur City.
77. I. O. W. Bayana.
78. I. O. W. Bharatpur.
79. I. O. W. Idgah.
80. P. W. I. Vikramgarh Aalot.
81. P. W. I. Shamgarh.
82. P. W. I. Bhawani Mandi.
83. P. W. I. Ramganj Mandi.
84. P. W. I. Kota (South).
85. P. W. I. Kota (North).
86. P. W. I. Kota (Stores).
87. P. W. I. Lakheri.
88. P. W. I. Indragarh Sumergarh Mandi.
89. P. W. I. Sawai Madhopur.
90. P. W. I. Sawai Madhopur (CTR).
91. P. W. I. Sawai Madhopur (PQRS).
92. P. W. I. Gangapur City (North).
93. P. W. I. Gangapur City (South).
94. P. W. I. Bayana.
95. P. W. I. Hindon.
96. P. W. I. Bharatpur.
97. P. W. I. Bharatpur (CTR).
98. P. W. I. Idgah.
99. P. W. I. Baran.
100. P. W. I. Baran (CTR).
101. P. W. I. Guna.
102. P. W. I. Ashok Nagar.
103. Station Superintendent, Mahidpur Road.
104. Station Superintendent, Vikramgarh Aalot.
105. Station Superintendent, Chaumehla.
106. Station Superintendent, Suwasara.
107. Station Superintendent, Shamgarh.
108. Station Superintendent, Garoth.
109. Station Superintendent, Bhawani Mandi.
110. Station Superintendent, Jhalawad Road.
111. Station Superintendent, Ramganj Mandi.
112. Station Superintendent, Morak.
113. Station Superintendent, Dara.
114. Station Superintendent, Alnjan.
115. Station Superintendent, Darh Deni.
116. Station Superintendent, Kota Junction.
117. Station Superintendent, Gudla Junction.
118. Station Superintendent, Keshorai Patan.
119. Station Superintendent, Kapren.
120. Station Superintendent, Lawan.
121. Station Superintendent, Lakheri.
122. Station Superintendent, Indragarh Sumergarh Mandi.
123. Station Superintendent, Rawanjana Doongar.
124. Station Superintendent, Sawai Madhopur.
125. Station Superintendent, Malarana.
126. Station Superintendent, Narainpur Tatwara.
127. Station Superintendent, Gangapur City.
128. Station Superintendent, Shri Mahavir Ji.
129. Station Superintendent, Hindon City.
130. Station Superintendent, Bayana.
131. Station Superintendent, Bharatpur.
132. Station Superintendent, Jajan Patti.
133. Station Superintendent, Gudesirampur.
134. Station Superintendent, Mathura (Lawi).
135. Station Superintendent, Midhakur.
136. Station Superintendent, Rupwas.
137. Station Superintendent, Fatehpur Sikri.
138. Station Superintendent, Tdgah.
139. Station Superintendent, Agra Fort.
140. Station Superintendent, Yamuna Bridge.
141. Station Superintendent, Baran.
142. Station Superintendent, Anta.
143. Station Superintendent, Salpura.
144. Station Superintendent, Chhabada Gugaur.
145. Station Superintendent, Ruthlai.
146. Station Superintendent, Guna.
147. Station Superintendent, Ashok Nagar.
148. Station Superintendent, Mungawali.
149. Electrical Foreman, Shamgarh.
150. Senior Electrical Foreman, Gangapur City.
151. Senior Electrical Foreman, Agra Fort.
152. Senior Electrical Foreman, Guna.
153. Shop Superintendent (Power), Kota.
154. Chief Signal Inspector, Vikramgarh Aalot.
155. Chief Signal Inspector, Shamgarh.
156. Chief Signal Inspector, Kota (North).
157. Chief Signal Inspector, Kota (South).
158. Chief Signal Inspector, Sawai Madhopur.
159. Chief Signal Inspector, Gangapur City.
160. Chief Signal Inspector, Bayana.
161. Chief Signal Inspector, Agra Fort.
162. Chief Signal Inspector, Bharatpur.
163. Loco Foreman, Kota.
164. Loco Foreman, Gangapur City.
165. Running Shed Supervisor, Shamgarh.
166. Running Shed Supervisor, Idgah.
167. Running Shed Supervisor, Guna.
168. Boiler Maker Chageman, Sawai Madhopur.
169. Railway Primary School, Agra East Bank.
170. Railway Primary School, Yamuna Bridge.
171. Railway Primary School, Sawai Madhopur.
172. Railway Primary School, Shamgarh.
173. Railway Primary School, Gangapur City.
174. Railway Primary School, Kota (MC).
175. Railway Primary School, Kota (Loco).
176. Railway Primary School, Kota (WRS).
177. Railway Middle School, Kota.
178. Railway Secondary School, Gangapur City.
179. Bridge Inspector, Kota.
180. Bridge Inspector, Agra Fort.
181. Senior Electrical Chageman, Bharatpur.
182. Senior Electrical Chageman, Sawai Madhopur.
183. Electric Fitter, Mathura Junction.

184. Shop Superintendent (Train Lighting), New Delhi.  
185. Electrical Chageman, Delhi.

## AJMER WORKSHOP

186. Rana Pratap Nagar Workshop, Udaipur.

## JAIPUR DIVISION

187. Assistant Divisional Medical Officer, Fulera.  
188. Assistant Divisional Medical Officer, Achhnera.  
189. Assistant Divisional Medical Officer, Reengus.  
190. Assistant Divisional Medical Officer, Sikar.  
191. Chief Health Inspector, Jaipur.  
192. Health Inspector, Bandikui.  
193. Health Inspector, Fulera.  
194. Health Inspector, Achhnera.  
195. Health Inspector, Sikar.  
196. Railway Nutan Primary School, Jaipur.  
197. Girls Primary School (1), Bandikui.  
198. Primary Hindi Medium School, Bandikui.  
199. Primary English Medium School, Bandikui.  
200. Primary English Medium School, Fulera.  
201. Primary Hindi Medium School, Fulera.  
202. Primary Hindi Medium School, Achhnera.  
203. Area Training School, Bandikui.  
204. Railway Primary School, Reengus.  
205. I. O. W. (South)-1, Jaipur.  
206. I. O. W. (South)-2, Jaipur.  
207. I. O. W. (North), Jaipur.  
208. I. O. W., Narnol.  
209. I. O. W., Sikar.  
210. I. O. W. (1), Bandikui.  
211. I. O. W. (2), Bandikui.  
212. I. O. W., Achhnera.  
213. I. O. W. Fulera.  
214. I. O. W., Alwar.  
215. P.W.I. (R), Alwar.  
216. Bridge Inspector, Bandikui.  
217. P. W. I., Fatehpur Shekhawati.  
218. P. W. I., Sikar.  
219. P. W. I., Jhunjhunu.  
220. P. W. I., Vanasthali Niwai.  
221. P. W. I., Ateli.  
222. P. W. I., Kanwat.  
223. P. W. I., Reengus.  
224. P. W. I. (South), Jaipur.  
225. P. W. I. (North), Jaipur.  
226. P. W. I. (Depot), Reengus.  
227. P. W. I., Achhnera.  
228. P. W. I., Alwar.  
229. P. W. I., Kisangarh.  
230. P. W. I., Fulera.  
231. P. W. I. (1), Bandikui.  
232. P. W. I. (2), Bandikui.  
233. Station Superintendent, Jaipur.  
234. Station Superintendent, Bandikui.  
235. Station Superintendent, Ladpura.  
236. Station Superintendent, Kishangarh.  
237. Station Superintendent, Tilonia.  
238. Station Superintendent, Naraina.  
239. Station Superintendent, Hirnauda.  
240. Station Superintendent Asalpur Jobner.  
241. Station Superintendent, Bobas.  
242. Station Superintendent, Kanakpura.  
243. Station Superintendent, Gandhinagar, Jaipur.  
244. Station Superintendent, Gaitore Jagatpura.  
245. Station Superintendent, Bassi.  
246. Station Superintendent, Daussa.  
247. Station Superintendent, Arnian.  
248. Station Superintendent Baswa.  
249. Station Superintendent, Rajgarh.  
250. Station Superintendent, Malakhera.  
251. Station Superintendent, Alwar.  
252. Station Superintendent, Khairthal.  
253. Station Superintendent, Harsauli.  
254. Station Superintendent, Bawal.  
255. Station Superintendent, Mandawar Mahuwa Road.  
256. Station Superintendent, Khedli.  
257. Station Superintendent, Nadbai.  
258. Station Superintendent, Achhnera.  
259. Station Superintendent, Bichpuri.  
260. Station Superintendent, Rainwal.  
261. Station Superintendent, Badhal.  
262. Station Superintendent, Reengus.  
263. Station Superintendent, Shrimadhapur.  
264. Station Superintendent, Kanwat.  
265. Station Superintendent, Neem Ka Thana.  
266. Station Superintendent, Manwada.  
267. Station Superintendent, Dabla.  
268. Station Superintendent, Nizampur.  
269. Station Superintendent, Narnaul.  
270. Station Superintendent, Ateli.  
271. Station Superintendent, Kund.  
272. Station Superintendent, Khauri.  
273. Station Superintendent, Surajgarh.  
274. Station Superintendent, Jhunjhunu.  
275. Station Superintendent, Sikar.  
276. Station Superintendent, Govindgarh Manikpur.  
277. Station Superintendent, Chomun Samod.  
278. Station Superintendent, Dahar Ka Balaji.  
279. Station Superintendent, Bais Godam.  
280. Station Superintendent, Sanganer Junction.  
281. Station Superintendent, Banasthali Niwai.  
282. Station Superintendent, Chauth Ka Barwada.  
283. Station Superintendent, Fatehpur Shekhawati.  
284. Station Superintendent, Laxman Garh Sikar.  
285. Station Superintendent, Fulera.  
286. Station Superintendent, Dundlod Mukandgarh.  
287. Station Superintendent, Nawalgarh.  
288. Station Master, Gagat Akhri.  
289. Station Master, Mandawaria.  
290. Station Master, Gelota.  
291. Station Master, Sali.  
292. Station Master, Sakhun.

293. Station Master, Dantada.
294. Station Master, Bhanwla.
295. Station Master, Dhanakya.
296. Station Master, Khatipura.
297. Station Master, Kanauta.
298. Station Master, Jhar.
299. Station Master, Banskho.
300. Station Master, Jaiwara.
301. Station Master, Bhandana.
302. Station Master, Khan Bhankari.
303. Station Master, Kolwagram.
304. Station Master, Bhankari.
305. Station Master, Dhigawada.
306. Station Master, Maruwa.
307. Station Master, Padisal.
308. Station Master, Ajaraka.
309. Station Master, Biwai.
310. Station Master, Karanpura.
311. Station Master, Ghosrana.
312. Station Master, Hefak.
313. Station Master, Ikran.
314. Station Master, Chikasana.
315. Station Master, Raibhi.
316. Station Master, Pipari Ka Baas.
317. Station Master, Khedela.
318. Station Master, Samedhi.
319. Station Master, Bhosliana.
320. Station Master, Pachar Malikpur.
321. Station Master, Kishanmanpura.
322. Station Master, Kacheri.
323. Station Master, Bhagegh.
324. Station Master, Jhilo.
325. Station Master, Amarpur Jorasi.
326. Station Master, Singhana.
327. Station Master, Mirzapur Bachhod.
328. Station Master, Kathwas.
329. Station Master, Chidawa.
330. Station Master, Ratan Shahar.
331. Station Master, Nua.
332. Station Master, Jethi Dadhla.
333. Station Master, Goran.
334. Station Master, Pabana.
335. Station Master, Bawadi Thikari.
336. Station Master, Nindad Benad.
337. Station Master, Durgapura.
338. Station Master, Shobwaspora Padampura.
339. Station Master, Chakul.
340. Station Master, Siras.
341. Station Master, Isradh.
342. Station Master, Devpura.
343. Station Master, Chitora Renwal.
344. Station Master, Todaraisidh.
345. Station Master, Baswa.
346. Station Master, Ramgarh Shekhawati.
347. Station Master, Kayamsar.
348. Transport Inspector, Jaipur.

349. Transport Inspector, Bandikui.
350. Transport Inspector, Rewari.
351. Transport Inspector, Fulera.
352. Transport Inspector, Sikar.
353. Loco Foreman, Jaipur.
354. Loco Foreman, Fulera.
355. Loco Foreman, Bandikui.
356. Carriage Foreman, Jaipur.
357. Carriage Foreman, Sikar.
358. Carriage Foreman, Agra Fort.
359. Fitter Incharge, Sawai Madhopur.
360. Fitter Incharge, Idgah Agra.
361. Fitter Incharge, Achhnera.
362. Divisional Assistant Mechanical Engineer (D), Fulera.
363. Commercial Inspector, Rewari.
364. Commercial Inspector, Bandikui.
365. Commercial Inspector, Sikar.
366. Commercial Inspector, Fulera.
367. Divisional Chief Ticket Inspector, Jaipur.
368. Catering Inspector, Jaipur.
369. Chief Publicity Inspector, Jaipur.
370. Chief Signal Inspector, Fulera.
371. Chief Signal Inspector, Bandikui.
372. Chief Signal Inspector, Jaipur.
373. Chief Signal Inspector (Works), Jaipur.
374. Senior Electrical Foreman (Train Lighting), Jaipur.
375. Senior Electrical Foreman (Power), Jaipur.
376. Senior Electrical Foreman (Works), Jaipur.
377. Senior Electrical Foreman (Works), Fulera.
378. Senior Electrical Foreman (Works), Achhnera.
379. Senior Electrical Chargeman (Works), Sikar.
380. Chief Train Lighting Inspector Jaipur.
381. Inspector, R.P.F., Bandikui.
382. Inspector, R.P.F., Fulera.
383. Inspector, R.P.F., Reengus.
384. Inspector, R.P.F., Achhnera.
385. Inspector, R.P.F., Jaipur.
386. Inspector, R.P.F., Jaipur (Headquarter).
387. Inspector, R.P.F., Jaipur (Quarter Master).
388. Inspector, R.P.F., Jaipur (Prosecution).
389. Inspector, R.P.F., Jaipur (CIB).
390. Inspector, R.P.F., Jaipur (SIB).
391. Assistant Sub-Inspector, R.P.F. Alwar.
392. Assistant Sub-Inspector, R.P.F., Sikar.

## CENTRAL RAILWAY

## BOMBAY DIVISION

393. Station Superintendent, Dadar.

## BHUSAVAL DIVISION

394. Station Superintendent, Itarasi.
395. Station Superintendent, Harda.
396. Station Superintendent, Burhanpur.
397. Station Superintendent, Akola.

## JABALPUR DIVISION

398. Chief Yardmaster, Jabalpur.
399. Chief Carriage and Wagon Superintendent, Jabalpur.

## JHANSI DIVISION

400. Medical Superintendent, Jhansi.
401. P.W.I., Faridabad.
402. P.W.I., Palwal.
403. P.W.I., Kosikalan.
404. Chief P.W.I., Mathura Junction.
405. Station Superintendent, Urai.
406. Assistant Engineer, Mathura Junction.
407. P.W.I., Dholpur (Narrow Gauge),
408. Loco Foreman, Gwalior.

## SOLAPUR DIVISION

409. Loco Foreman, Kurduwadi.
410. P.W.I. (Broad Gauge), Kurduwadi.
411. P.W.I. (Narrow Gauge), Kurduwadi.
412. I.O.W. (Broad Gauge), Kurduwadi.
413. I.O.W. (Narrow Gauge), Kurduwadi.
414. Station Superintendent, Kurduwadi.
415. Carriage and Wagon Superintendent, Kurduwadi.
416. Electrical Chargeman, Kurduwadi.
417. Inspector, R.P.F., Kurduwadi.
418. Assistant Engineer, Daund.
419. Area Officer, Daund.
420. Station Superintendent, Daund.
421. P.W.I. (North) Daund.
422. P.W.I. (South) Daund.
423. Inspector, R.P.F., Daund.
424. I.O.W., Daund.
425. Electrical Foreman Daund.
426. Signal Inspector, Daund.
427. Assistant Divisional Medical Officer, Ahmednagar.
428. Assistant Engineer, Ahmednagar.
429. I.O.W., Ahmednagar.
430. Station Superintendent, Ahmednagar.
431. P.W.I., Ahmednagar.
432. Inspector, R.P.F., Ahmednagar.
433. Assistant Divisional Medical Officer, Puntamba.
434. Loco Foreman, Puntamba.
435. Station Superintendent, Pandharpur.
436. Assistant Medical Officer, Pandharpur.
437. P.W.I., Miraj.
438. Assistant Engineer, Solapur.
439. Medical Superintendent, Solapur.
440. P.W.I., Solapur.
441. Inspector, R.P.F., Solapur.
442. Chief Signal Inspector (Works), Solapur.
443. Signal Inspector (Maintenance), Solapur.
444. Electrical Foreman (Maintenance), Solapur.
445. Station Superintendent, Solapur.
446. Carriage and Wagon Superintendent, Solapur.
447. I.O.W. (Maintenance), Solapur.
448. Loco Foreman, Solapur.
449. P.W.I. (Depot), Solapur.
450. Chief Telecom. Inspector, Solapur.
451. Electrical Chargeman (A), Ghorpadi, Pune.

[No. Hindi-87/OL-I/12/2]

S. M. VAISH, Secy. Railway Board,  
Ex-Officio Jt. Secy.

## मानव संसाधन विकास मंत्रालय

(युवा कार्यक्रम और खेल विभाग)

नई दिल्ली, 4 अगस्त, 1987

का. भा. 2374:—समय-समय पर संशोधित, दिनांक 25 मार्च, 1982 को भारत के राजपत्र (असाधारण) भाग 2, खण्ड 3, उपखण्ड 3 (ii) में प्रकाशित शिक्षा तथा संस्कृति मंत्रालय की अधिमूचना एस. ओ. सं. 166(ई) दिनांक 22 मार्च, 1982 के क्रम में, भारत सरकार पूर्तश्रद्धा निधि अधिनियम, 1890 के अनुभाग 4 (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा यह आदेश देती है कि जमा 1 लाख रुपये के प्रतिदान मूल्य जो 28 जुलाई, 1987 को देय हो गया है, को वैसे ही जमा में पुनः लगाया जाए और राशि भारत पूर्तश्रद्धा निधि के कोषाध्यक्ष के पास और निकाय के कार्यालय में उस उत्तराधिकारी के पास उक्त राशि और 5 वर्षों की अवधि के लिए उसी प्रायः शाकबाने की समय जमा योजना में जमा कराने के लिए रखनी चाहिए।

[मि. सं. 13-38/87-खेल-4]

रमेश कुमार, अवसर सचिव

## MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Y.A. &amp; Sports)

New Delhi, the 4th August, 1987

S.O. 2374.—In continuation of the Ministry of Education and Culture Notification S.O. No. 166(E) dated 22nd March, 1982 published in the Gazette of India (extraordinary) Part-II, Section 3, Sub-Section 3(ii) dated 25th March, 1982, as modified from time to time, the Central Government in exercise of the powers conferred under section 4(1) of the Charitable Endowment Act, 1890 do hereby order that the redemption value of the deposit of Rs. 1 lakh which has matured on 28th July, 1987 may be re-invested in the same deposit and the amount be vested in the Treasurer of Charitable Endowment for India to be held by him and his successors in office upon trust to hold the said monies and the income thereof for a period of 5 years for deposit in the Post Office Time Deposit Scheme.

[No. F. 13-38/87-SP.IV]

RAMESH KUMAR, Under Secy.

## इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 27 अगस्त, 1987

का. भा. 2375:—केन्द्रीय सरकार सरकारी स्थान (अप्राधि-कृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 2 जून, 1984 में प्रकाशित इस्पात विभाग (इस्पात और खान मंत्रालय) की अधिमूचना सं. का. भा. 1767 तारीख 19 मई, 1984 को अधिकांत करते हुए, नीचे सारणी के स्तम्भ (1) में उल्लिखित अधिकारियों को, जो उक्त अधिनियम के प्रयोजन के लिए अधि-तारी हैं, नियुक्त करती है जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी-अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम के द्वारा या उसके अधीन संपदा अधिकारियों

को प्रवृत्त शक्तियों का प्रयोग और उन पर अधिरोपित कर्तव्यों का पालन करेंगे :—

अधिकारी का पदाभिधान सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं

1

2

1. कार्मिक अधिकारी/सहायक बैलाडिला निक्षेप सं. 14 कार्मिक प्रबंधक/कार्मिक प्रबंधक जिला बस्तर, मध्य प्रदेश निक्षेप ज्येष्ठ कार्मिक प्रबंधक/संपदा सं. 1 से 14 तक से बने क्षेत्र, अधिकारी, राष्ट्रीय खनिज ओ जिला बस्तर, मध्य प्रदेश में विकास निगम लिमिटेड बैलाडिला लोह अयस्क परियोजना स्थित है और निक्षेपों में किराडुल नगरक्षेत्र, हिलटाप नगर निक्षेप सं. 14, जिला बस्तर, क्षेत्र भांसी और बचेली सम्मिलित हैं। मध्य प्रदेश।
2. कार्मिक अधिकारी/सहायक बैलाडिला निक्षेप सं. 5, जिला कार्मिक प्रबंधक/कार्मिक प्रबंधक बस्तर, मध्य प्रदेश भांसी कैप ज्येष्ठ कार्मिक प्रबंधक/संपदा बचेली नगर क्षेत्र आपरेशन अधिकारी, राष्ट्रीय खनिज नगर क्षेत्र हिल टाप पर अस्थायी विकास निगम लिमिटेड, बैलाडिला निक्षेप सं. 3, जिला मध्य प्रदेश की तहसील दंत-बस्तर, मध्य प्रदेश। वाड़ा में
3. सहायक कार्मिक अधिकारी/कार्मिक अधिकारी/सहायक डायमंड खनन परियोजना पन्ना कार्मिक प्रबंधक/कार्मिक प्रबंधक मध्य प्रदेश राष्ट्रीय खनिज विकास निगम के क्वार्टर पन्ना कालोनी संपदा अधिकारी डायमंड खनन पन्ना ग्राम मझगांव और बिनोत परियोजना पन्ना जिला सतना ग्रामों और रामखेरिया ग्रामों में मध्य प्रदेश। राष्ट्रीय खनिज विकास निगम लिमिटेड के प्रांतीय क्वार्टर।
4. कार्मिक अधिकारी/सहायक डैनिमलाई लोह अयस्क परियोजना कार्मिक प्रबंधक/कार्मिक प्रबंधक जिला बैलारी, कर्नाटक ज्येष्ठ कार्मिक प्रबंधक/संपदा डैनिमलाई लोह अयस्क परियोजना की अधिकारिता के अधिकारी डैनिमलाई लोह अयस्क परियोजना जिला अंतर्गत आने वाले राष्ट्रीय खनिज बैलारी, कर्नाटक। विकास निगम लि. के परिसर/क्षेत्र।

[फा. सं. 3(32)/87 - गार एम 1]

एम. एल. घोष, अवसर सचिव

MINISTRY OF STEEL & MINES

(Department of Steel)

New Delhi, the 27th August, 1987

S. O. 2375:—In exercise of the powers conferred by Section 2 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Department of Steel (Ministry of Steel and Mines) Notification No. S. O. 1767, dated the 19th May 1984, Pub-

lished in the Gazette of India, Part II, Section 3, Sub-section (ii), dated 2nd June, 1984, the Central Government hereby appoints the officers mentioned in column (I) of the Table below being the officers for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the estate officers by or under the said Act, within the local limits of their respective Jurisdiction in respect of the public premises specified in column (2) of the said table.

TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction
1	2
1. Personnel Officer/Assistant Personnel Manager/Personnel Manager/Senior Personnel Manager/Estate Officer, National Mineral Development Corporation Limited, Bailadila Iron Ore Project Deposit No. 14, District Bastar, Madhya Pradesh.	Bailadila Deposit No. 14 District Bastar, Madhya Pradesh.
2. Personnel Officer/Assistant Personnel Manager/Personnel Manager/Senior Personnel Manager/Estate Officer, National Mineral Development Corporation Limited, Bailadila Deposit No. 5, District Bastar, Madhya Pradesh.	The areas constituted Deposit No. 1 to 14 which are situated in District Bastar, Madhya Pradesh the deposits include township of Kirandul, Hill top township, Bhansi and Bacheli.
3. Assistant Personnel Officer/Personnel Officer/Assistant Personnel Manager/Personnel Manager/Estate Officer, Diamond Mining Project Panna, District Satna, Madhya Pradesh.	Bailadila Deposit No. 5, District Bastar, Madhya Pradesh
4. Personnel Officer/Assistant Personnel Manager/Personnel Manager/Senior Personnel Manager/Estate Officer, Donimalai Iron Ore Project District Bellary, Karnataka.	Bhansi Camp, Bacheli Township Operation Township, Temporary Colony at Hill-top, all in Tahsil Dantewada of District Bastar, Madhya Pradesh.
	Diamond Mining Project, Panna, Madhya Pradesh
	National Mineral Development Corporation quarters in Panna, Colony, residential quarters of National Mineral Development Corporation Limited at Panna Village, Majhgwan and Binots Villages and Ramkheria Villages.
	Donimalai Iron Ore Project District Bellary, Karnataka.
	Premises/area of the National Mineral Development Corporation Limited falling under the jurisdiction of Donimalai Iron Ore Project.

[File No. 3(32)/87-RMI]

M. L. GHOSH, Under Secy.

**नागर विमानन संभालय**

नई दिल्ली, 19 अगस्त, 1987

का. आ. 2376.—राष्ट्रीय विमान परजन प्राधिकरण अधिनियम, 1985 (1985 का 64) के खंड 3 के उप-खंड-3 में निहित शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री एम. के. गणेशन को उनके पदभार संभालने की तारीख से तीन वर्ष की अवधि के लिए 4000-125-4500 रुपये के "अनुसूची ख" के वेतनमान में राष्ट्रीय विमानपरजन प्राधिकरण में पूर्णकालिक सदस्य (विस्त) नियुक्त करती है।

[सं. ए-11013/2/87-एन. ए. ए.]

जे. आर. नागपाल, भवर सचिव

**MINISTRY OF CIVIL AVIATION**

New Delhi, the 19th August, 1987

S.O. 2376.—In exercise of the powers conferred by Sub-section 3 of the Section 3 of the National Airports Authority Act, 1985 (64 of 1985), the Central Government hereby appoints Shri M. K. Ganesan as a whole-time Member (Finance) in the National Airports Authority in Schedule 'B' scale of pay of Rs. 4000-125-4500 for a period of three years from the date he assumes charge of the post.

[No. A-11013/2/87-NAA]

नई दिल्ली, 20 अगस्त, 1987

का.आ. 2377.—वायुयान विमान, 1937 का और संशोधन करने के लिए कतिपय नियमों का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार, वायुयान अधिनियम, 1934 (1934 का 22) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बनाना चाहती है, उक्त अधिनियम की धारा 14 की अनुसूचीनुसार ऐसे सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है जिनके उससे प्रभावित होने की संभावना है और इसके द्वारा यह सूचना दी जाती है कि उक्त प्रारूप नियमों पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जायेगा।

**प्राव्य नियम**

- इन नियमों का संक्षिप्त नाम वायुयान (संशोधन) नियम, 1987 है।
- वायुयान नियम, 1937 की अनुसूची 1 में,
  - मद (3) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

283700 उ. 771145 पू.

283700 उ. 771230 पू.

283545 उ. 771230 पू. संपूर्ण

283445 उ. 771145 पू.

383700 उ. 771145 पू.

भूतल स्तर से किसी असीमित उच्चतर स्तर तक उर्ध्वतः विस्तार करके

- मद 3 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मदें और प्रविष्टियां रखी जाएंगी, अर्थात्:—

"(4) मथुरा तेलशोधक कारखाने से 10 कि. मी. के अर्धव्यास के भीतर का 2723 उ. 07742 पू. पर स्थित क्षेत्र सम्मिलित है।

भूतल स्तर से किसी असीमित उच्चतर स्तर तक उर्ध्वतः विस्तार करके।

- भुवनेश्वर के निकट का क्षेत्र जो निम्नलिखित निर्देशांकों से घिरा हुआ है:—

2030 उ. 8600 पू.

2030 उ. 8548 पू.

2034 उ. 8545 पू. संपूर्ण।

2044 उ. 8545 पू.

2044 उ. 8600 पू.

2030 उ. 8600 पू.

भूतल स्तर से 50,000 फीट के स्तर तक।

[फा.सं. 11012/4/86-ए]

नसीब सिंह, भवर सचिव

New Delhi, the 20th August, 1987

S.O. 2377.—The following draft of certain rules further to amend the Aircraft Rules 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Aircraft Act, 1934 (22 of 1934) is hereby published as required by section 14 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration after a period of forty-five days from the date of publication of this notification in the Official Gazette.

2. Any objections or suggestions which may be received from any person with respect to the said draft rules before the period so specified will be considered by the Central Government.

**DRAFT RULES**

1. These rules may be called the Aircraft (Amendment) Rules, 1987.

2. In Schedule-I to the Aircraft Rules 1937,

(i) for the item (3) and the entries relating thereto, the following shall be substituted, namely:—

(3) The area around Rashtrapati Bhavan bounded by the following coordinates:—

283700 N 771145 E

283700 N 771230 E

283545 N 771230 E

283545 N 771145 E

283700 N 771145 E

Absolute";

extending vertically from ground level to an unlimited upper level.

(ii) after item (3) and the entries relating thereto, the following items and entries shall be inserted, namely:—

“(4) The area included within a radius of 10 Kms. from Mathura Refineries located at 2723N 07742E

extending vertically from ground level to an unlimited upper level.

(5) The area near Bhubaneswar bounded by the following coordinates:—

2030N 8600E  
2030N 8548E  
2034N 8545E  
2044N 8545E  
2044N 8600E  
2030N 8600E

Absolute”.

From ground level to 50,000 ft.

[F. No. 11012/4/86-A]

NASIB SINGH, Under Secy.

Foot Note.—Principal rules (Aircraft Rules 1937) published vide Notification No. V-26 dated the 23rd March, 1937 in the Gazette of India (Part-I) dated the 27th March, 1937.

Subsequently amended by:—

Notification No. GRS 1567 dated the 16th November, 1962;

Notification No. GSR 1655 dated the 12th November, 1965; and

Notification No. GSR 604 dated the 1st June, 1985.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली 25 अगस्त 1987

का.आ. 2378.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 की 102) की धारा 3 की उपधारा (1) के खण्ड (ख) के उपबन्धों के अनुसरण में डा. एम.जे. जोशी को पूर्ण विश्वविद्यालय की सीनेट द्वारा भारतीय आयुर्विज्ञान परिषद के सदस्य के रूप में पुनः निर्वाचित किया गया है;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (5) के साथ पठित धारा 3 की उपधारा (1) के खण्ड (ख) के अनुसरण में भूतपूर्व स्वास्थ्य मंत्रालय की अधिसूचना संख्या का.आ. 138 तारीख 9 जनवरी, 1960 के अधीन गठित भारतीय आयुर्विज्ञान परिषद के सदस्य के रूप में डा. एम.जे. जोशी, राज्य चिकित्सा में प्रोफेसर बी.जे. मेडिकल कालेज, पुणे-1 को पुनः नाम-निर्दिष्ट करती है।

[सं. की. 11013/64/87-एम.ई. (पी)]

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 25th August, 1987

S.O. 2378.—Whereas in pursuance of the provision of clause (b) of sub-section (1) of section 3 of the Indian Medical Council, Act, 1956 (102 of 1956), Dr. M. J. Joshi has

been re-elected by the Senate of the University of Poona to be a member of the Medical Council of India.

Now, therefore, in pursuance of clause (b) of sub-section (1) of section 3 read with sub-section (5) of section 7 of the said Act, the Central Government hereby renominates Dr. M. J. Joshi, Professor of Surgery, B. J. Medical College Pune-1 to be a member of the Medical Council of India constituted under notification of the erstwhile Ministry of Health No. S. O. 138, dated the 9th January, 1960.

[No. V. 11013/64/87-ME(P)]

का.आ. 2379.—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 2 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की पहली अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में केरल विश्वविद्यालय से संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित प्रविष्टियाँ अन्तःस्थापित की जाएंगी, अर्थात् :—

“डाक्टर आफ मेडिसिन एम.डी. सामाजिक और सामाजिक और निवारक निवारक (चिकित्सा) (चिकित्सा)

टिप्पण : — उपर्युक्त अर्हता यदि केरल विश्वविद्यालय द्वारा मेडिकल कालेज, त्रिवेन्द्रम में प्रशिक्षित छात्रों को अनुदत्त की गई है तो मान्यताप्राप्त चिकित्सा अर्हता होगी” ।

[संख्या की. 11015/24/87-एम.ई. (पी)]

S.O. 2379.—In exercise of the powers conferred by sub-section (2) of Section II of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule, after the entries relating to the University of Kerala, the following entries shall be inserted namely:—

Doctors of Medicine

(Social & Preventive  
Medicine)

M. D. (Soc. & Prev. Med.

Note : the above qualification shall be recognised medical qualification when granted by Kerala University in respect of students being trained at Medical College, Trivendrum.

[No. V. 11015/24/87-ME(P)]

नई दिल्ली, 7 अगस्त, 1987

का.आ. 2380.—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा II की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात्



उक्त अधिनियम की पहली अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में रांची विश्वविद्यालय से संबंधित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियाँ अन्तः स्थापित की जाएंगी, अर्थात् :—

मास्टर आफ सर्जरी एम. एम. (जनरल सर्जरी)  
(जनरल सर्जरी)

टिप्पण :

उपयुक्त अर्हता यदि रांची विश्वविद्यालय द्वारा राजेन्द्र मेडिकल कॉलेज, रांची में प्रशिक्षित छात्रों की अनुदत्त की गई है तो, मान्यता प्राप्त चिकित्सा अर्हता होगी "

[संख्या ए. 11015/25/87-एम. ई. (पी.)]

आर. श्री. निवासन, अवसर सचिव

New Delhi, the 7th August, 1987

S.O. 2380.—In exercise of the powers conferred by sub-section (2) of Section II of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government, after consulting the Medical Council of India hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule, after the entries relating to the University of Ranchi, the following entries shall be inserted namely:—

"Master of Surgery  
(General Surgery)

M. S. (Genl. Surgery)

Note : the above qualification shall be recognised medical qualification when granted by Ranchi University in respect of the students being trained at Rajendra Medical College, Ranchi.

[No. V. 11015/25/87-MF(P)]

R. SRINIVASAN, Under Secy.

### अम संशोधन

नई दिल्ली, 21 अगस्त, 1987

का. प्रा. 2381—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध सम्बन्धित स्थापन को लागू किए जाने चाहिये:—

1. मैसर्स पेंटाकॉम कन्सल्टेंट्स प्राइवेट लि 532 सन्डहर्स्ट ब्रिज, बम्बई-7
2. मैसर्स वा आकाशवानी कन्सुमर्स को-ऑपरेटिव सोसाइटी (केन्द्रीय एम्प्लोयर्स) लि ब्रॉडकास्टिंग हाऊस चार्चगेट रिक्लेमेशन चार्चगेट बम्बई-20
3. मैसर्स इण्डस्ट्रीयल एम्प्लोयर्स एलाइड रेडियो प्राफ़म, 102 फौज अपार्टमेंट प्रथम खण्ड, एम बी रोड जोगेश्वरी (पश्चिम) बम्बई-102
4. मैसर्स आदिवामी दुग्ध उत्पादक कृषि पूरक उद्योग सहकारी संघ लि. माफिड थार्ड नानदुर्कर जिला धुलिया
5. मैसर्स इगल इन्डस्ट्रीयल सर्विस विश्वा 42/4 करव रोड पुणे-1
6. मैसर्स नीलीकान डायस्टफ़म 67 एम. आई. डी. सी., इन्डस्ट्रीयल एरिया घाटब-402116 रोहा जिला रायगड और इसका निशान

इन्सूरेम बिल्डिंग 204 डी. एन. रोड, फोर्ट बम्बई-1 स्थित कार्यालय

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1 की उप धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है।

[संख्या एम-35018(3)/87-एम. एम.-2]

### MINISTRY OF LABOUR

New Delhi, the 21st August, 1987

S.O. 2381.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments, namely:—

1. M/s. Pentacom Consultants Private Limited, 532, Sandhurst Bridge Bombay-7.
2. M/s. The Akashvani Consumers Co-operative Society (Canteen and Store) Limited, Broadcasting House Dackbay Reclamation Charchgate, Bombay-20.
3. M/s. Industrial X-Ray and Allied Radiographers, 102, Faizan Apartment, First Floor, S. V. Road, Jogeshwari (West) Bombay-102.
4. M/s. Adivasi Duddh Utpadak Krishi Puak Udyog Sahkari Sangh Limited, Market Yard, Nandurkar, District Dhulia.
5. M/s. Eagle Industrial Services, Visava 42/4, Karve Road, Pune-4.
6. M/s. Neelikon Dyestuffs, 67, M.I.D.C. Industrial Area, Dhatav-402116, Roha District Raigad, including its Office at National Insurance Building, 204, D. N. Road, Fort, Bombay-1.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[S. 35018(3)/87-SS-II]

का. प्रा. 2382—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध सम्बन्धित स्थापन को लागू किए जाने चाहिये:—

1. मैसर्स साऊथ ट्रावेलरकोर सेविस्स क्रेडिट लिमिटेड एण्ड ट्रेडिंग कम्पनी लिमिटेड, नियुर पोस्ट कन्याकुमारी कन्या
2. मैसर्स आरजे मैनेजमेन्ट सेंटर (प्राइवेट) लिमिटेड, 24 कालिज रोड, मद्रास-6
3. मैसर्स प्रिन्स हायर सैकन्ड्री स्कूल नं. 12, नेटल गली मण्डी, पाकाम, मद्रास-91
4. मैसर्स जीवर्स विहार डालव, 1915, बाजार स्ट्रीट, नागा-पट्टीनम-1
5. मैसर्स चोलासाईना इन्डस्ट्रीज सर्विस को-ऑपरेटिव सोसाइटी लिमिटेड, इन्डस्ट्री नं. 833, 6, बाग पास रोड, अरिणामनम, निरुचिरापल्ली-10
6. मैसर्स के टी एन्टरप्राइजिज, 134, लॉग बाजार, वैनौर, एन ए कन्या
7. मैसर्स श्री वैकटेश्वर इन्डस्ट्रीज, 11/118, श्री रंगानाथापुरम, गन्वर, कोम्बेनूर-2 और इसकी नं. 7889, पुरानी घास मण्डी, विकन्दराबाद स्थित शाखा

8. मैसर्स इनफोर्टेक लिमिटेड, आर जे. एपेक्स सेंटर-24 कालिज रोड, नमगामबाकम मद्रास-6 और इसका नं. 3 पेकाप गार्डन रोड, नमगामबाकम, मद्रास-6 स्थित पंजीकृत कार्यालय

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उप धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है।

[संख्या एम-35019(32)/87-एस. एम.-2]

S.O. 2382.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishment, namely:—

1. M/s. South Travancore Savings Credit Chits and Trading Company Limited, Neyyoor Post, Kanya Kumari District.
2. M/s. Arjay Management Centre (Private) Limited, 24 College Road, Madras-6.
3. M/s. Prince Higher Secondary School, No. 12, Nehru Street, Mandipakkam, Madras-91.
4. M/s. Cheers Liquor Dealer, 1915, Bazar Street, Nagapattinam-1.
5. M/s. Cholamandala Industries Service Co-operative Society Limited, Ind. No. 833, 6, Bya-Pass Road, Ariyamanagalam, Tiruchirapalli-10.
6. M/s. K. T. Enterprises, 134, Long Bazar, Vellore N. A. District.
7. M/s. Sri Venkateswara Industries, 11/118, Sri Ranganathapuram, Nilur, Coimbatore-2, including its branch at No. 7889, Old Ghas Mandi Secunderabad.
8. M/s. Info'tech Limited, Arjay Apex Centre, 24, College Road Nungambakkam, Madras-6, including its Registered Office at No. 3, Pycrafts Garden Road, Nungambakkam, Madras-6.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[S. 35019(32)/87-SS. II]

का. आ. 2383.—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध सम्बन्धित स्थापन को लागू किए जाने चाहिए:—

1. मैसर्स लक्ष्मी रिबन वर्क्स, स. नं. 97, कामेला दरवाजे के बाहर, अम्बिका ब्राह्म फैक्ट्री के समीप, सलाबतपुरा, सुरत
2. मैसर्स श्रीराम रिबन वर्क्स, स. नं. 97, कामेला दरवाजे के बाहर अम्बिका ब्राह्म फैक्ट्री के समीप, सलाबतपुरा, सुरत
3. मैसर्स अम्बिका रिबन वर्क्स, कामेला दरवाजे के बाहर, अम्बिका ब्राह्म फैक्ट्री के समीप, सलाबतपुरा, सुरत
4. मैसर्स सत्यनारायण रिबन वर्क्स, स. नं. 97, कामेला दरवाजे के बाहर, अम्बिका ब्राह्म फैक्ट्री के समीप, सलाबतपुरा, सुरत
5. मैसर्स आर.जी. मिनेमा हनील, डिस्ट्रिक्ट पंचमहाल
6. मैसर्स कुवारी गोपीपुरा, हलोल डिस्ट्रिक्ट पंचमहाल
7. मैसर्स कनक टैक्सटाइल्स, प्लॉट नं. 114, उद्योग नगर, उधना, जिला सुरत
8. मैसर्स अतुल सिल्क फैक्ट्री प्लॉट नं. 114, रोड नं.-8-बी, उद्योग नगर, उधना, जिला सुरत

9. मैसर्स भुपेन्द्र बेकिंग फैक्ट्री, प्लॉट नं. 115, रोड नं. 8-बी, उद्योग नगर, उधना, जिला सुरत
10. मैसर्स जय श्री टैक्सटाइल्स, प्लॉट नं. 115, रोड नं. 8, उधना, उद्योग नगर, जिला सुरत
11. मैसर्स कपल टैक्सटाइल्स, प्लॉट नं. 115, रोड नं. 8, उधना, उद्योग नगर, जिला सुरत
12. मैसर्स एच. बी. टैक्सटाइल्स, प्लॉट नं. 115, उधना, उद्योग नगर, उधना, जिला सुरत
13. मैसर्स एम्पायर कन्स्ट्रक्शन कंपनी लिमिटेड, ए/55 सिल्वर आर्क अपार्टमेंट्स इलीस ब्रिज, अहमदाबाद-6 और इसकी 3, ए के नायक मार्ग कार्यालय नं. 32 ए, द्वितीय खण्ड न्यू एम्पायर थियेटर से दूर, बम्बई-1

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उप धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है।

[संख्या एम-35019(33)/87-एस. एम.-2]

S.O. 2383.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments, namely:—

1. M/s. Laxmi Ribbon Works, S. No. 97, out side of Kamela Darwaja, near Ambica Ice Factory, Salabatpura, Surat.
2. M/s. Shri Ram Ribbon Works, S. No. 97, outside Kamela Darwaja, near Ambica Ice Factory, Salabatpura, Surat.
3. M/s. Ambica Ribbon Works, Salabatpura outside of Kamela Darwaja, near Ambica Ice Factory, Salabatpura, Surat.
4. M/s. Satyanarayan Ribbon Works, Salabatpura S. No. 97, out side of Kamela Darwaja, Near Ambica Ice Factory, Salabatpura, Surat.
5. M/s. Archi Cinema, Halol District Panchmahal.
6. M/s. Shree Quarry Gopipura, Halol District Panch Mahal.
7. M/s. Kanak Textiles, Plot No. 114, Udyognagar, Udhna, District Surat.
8. M/s. Atul Silk Factory Plot No. 114, Road No. 8-B Udyognagar, Udhna, District Surat.
9. M/s. Bhupendra Weaving Factory Plot No. 115, Road No. 8-B, Udyognagar, Udhna, District Surat.
10. M/s. Jayshree Textiles Plot No. 115, Road No. 8, Udhna, Udyognagar, Udhna, District Surat.
11. M/s. Rupal Textiles, Plot No. 115, Road No. 8, Udhna, Udyognagar, District Surat.
12. M/s. H. B. Textiles, Plot No. 115, Udhna, Udyog-nagar, Udhna, District Surat.
13. M/s. Empire Construction Company Limited, A/55, Silver/Arc Apartments, Ellis Bridge, Ahmedabad-6, including its branch at 3, A. K. Naik Marg Office, No. 32-A, 2nd Floor, Next to the New Empire Theatre, Bombay.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[No. S-35019(33)/87-SS II]

का. धा. 2384.—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्य हम मान पर सहमत हो गई है कि कर्मचारी शक्तिशाली निधि और प्रकोण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध सम्बन्धन स्थापन को लागू किए जाने चाहिए :—

1. मैसर्स लक्ष्मी चित्रा मन्दिर संगोल्ली रयाना रोड, शिमोगा
2. मैसर्स भारुथी ब्रिक्स एण्ड टाइल वर्क्स, 5 किलो मी. मैलूर, मैसूर रोड, मारुथी-माहल्ली मैलूर तालुक
3. मैसर्स विजय लक्ष्मी टाइल वर्क्स, मारुथी रोड, मैलूर
4. मैसर्स सोनलकर सेल्स एण्ड सर्विस (प्राइवेट) लि., पोस्ट बॉक्स नं. 24, पी.बी. रोड, हरिहारा-1
5. मैसर्स होसूर मिल्क प्रोड्यूसर्स को-ओपरेटिव सोसाइटी लि., गौरी, विशदानूर कोलार जिल्हा
6. मैसर्स ऑटोमोटिव एक्सस लि., हुयगली इन्डस्ट्रियल एरिया मैसूर और इसकी भगीरथी बिल्डिंग, लालबाग रोड, बंगलूर-27 स्थित शाखा

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है।

[संख्या एस-35019(34)/87-एस. एन.-2]

S.O. 2384.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments, namely :—

1. M/s. Sri Lakshmi Chitramandir, Sangolli Rayanna Road, Shimoga.
2. M/s. Maruthi Bricks and Tile Works, 5th Km. Malur Masthi Road, Mylandahalli, Malur Tq.
3. M/s. Vijayalakshmi Tile Works, Masthi Road, Malur.
4. M/s. Sonalkar Sales and Services (Private) Limited, Post Box No. 24, P.B. Road, Harihara-1.
5. M/s. Hosur Milk Producers Co-operative Society Limited, Gauribidanur Kolar District.
6. M/s. Automotive Axles Limited, Hootagalli Industrial Area, Mysore including its branch at Bhagirathi Building, Lalbagh Road, Bangalore-27.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[S. 35019(34)/87-SS-II]

नई दिल्ली, 21 अगस्त, 1987

का. धा. 2385.—केन्द्रीय सरकार, कर्मचारी राज्य [बीमा अधिनियम, 1947 (1948 का 34) की धारा 91 के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, रक्षा मंत्रालय के अधीन सार्वजनिक क्षेत्र के उपक्रम मैसर्स भारत प्रोटेक्टाविवस लिमिटेड, गाजियाबाद के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से पहली जुलाई, 1985 से 30 सितम्बर, 1987 तक की अवधि के लिए छूट देती है।

उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्:—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दर्शाए गए होंगे

(2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रमुखियाएँ प्राप्त करते रहेंगे, जिनको पाने के लिए वे इस अधिनियम द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संवत्त अधिवायों के आधार पर हकदार हो जाते ;

(3) छूट प्राप्त अवधि के लिए यदि कोई अभिवाय पहले ही संवत्त किए जा चुके हैं तो वे वापस नहीं किए जाएंगे ;

(4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्त था (जिसे धारा 44 के अन्तर्गत उक्त अधिनियम लागू था) ऐसी विवरणियाँ ऐसे प्रकृष में और ऐसी विनिर्दिष्टों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधिनियम उक्त अवधि का बाबत दर्शाते हैं ;

(5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरोधक या अन्य नियमित प्राधिकृत निगम का कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिर्दिष्टों को सत्यापित करने के प्रयोजनों के लिए, या

(ii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा-अपेक्षित रजिस्टर और अभिलेखा उक्त अवधि के लिए रखे गए थे या नहीं, या

(iii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रमुखियाओं को, जो ऐसी प्रमुखियाएँ हैं जिनके प्रतिकारस्वरूप इस अधिनियम के अधीन छूट दी जा रही है, नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, या

(iv) यह अभिनिश्चित करने के प्रयोजनों के लिए कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए सशक्त होगा—

(क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या

(ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिसोम में कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उनके भारसाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसी लेखाबहियाँ और अन्य दस्तावेजों, ऐसे निरोधक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या वह उसे ऐसी जानकारी दें जो वह आवश्यक समझे; या

(ग) प्रधान नियोजक या अव्यवहित नियोजक की, उसके अधिकारी या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरोधक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज को नकल करना या उससे उद्धरण लेना।

## स्टाफ्टीकरण शायन

इस मामले में छूट को भूतलकी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के प्राबेदन पर कार्यवाही करने में समय लग गया था। प्राबेदन पत्र देनी से प्राप्त हुआ था। किन्तु यह प्रमाणित किया जाता है कि छूट को भूतलकी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रति कूल प्रभाव नहीं पड़ेगा।

[सं. एस-38014/58/86-एस. एम. -1]

ए.के. भट्टारै, अवर सचिव

New Delhi, the 21st August, 1987

S.O. 2385.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of the Bharat Electronics Limited, Ghaziabad, a Public Sector Undertaking under the Ministry of Defence from the operation of the said Act for a period w.e.f. 1st July, 1985 upto and inclusive of the 30th September, 1987.

The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees ;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refunded ;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in the behalf shall, for the purposes of—
  - (i) Verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
  - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
  - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
  - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory be empower to—
    - (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
    - (b) enter any factory establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, or office or other premises.

## EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the application for exemption was received late. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S-38014/58/86-SS-I]

A. K. BHATTARAI, Under Secy.

## श्रम मंत्रालय

नई दिल्ली, 21 अगस्त, 1987

का. भा. 2386.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राम कनाली कोलियरी मैसर्स भारत कोकिंग कोल लिमिटेड, के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या-2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10, अगस्त 1987 को प्राप्त हुआ था।

## MINISTRY OF LABOUR

New Delhi, the 21st August, 1987

S.O. 2386.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Management of Ramkanali Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 10th August, 1987.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Reference No. 189 of 1986

In the matter of Industrial Dispute under Section 10 (1)(d) of the I.D. Act., 1947.

## PARTIES:

Employers in relation to the management of Ramkanali Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

## APPEARANCES:

On behalf of the workmen:—Shri J. D. Lall, Advocate.

On behalf of the employers:—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 29th July, 1987.

## AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to the Central Government Industrial Tribunal No. 1, Dhanbad for adjudication. But subsequently vide Ministry's Order No. L-20025(9)/85-D.III(A) dated 21-5-1986 the said reference was transferred to this Tribunal for adjudication.

## SCHEDULE

"Whether the demand of the workmen of Ramkanali Colliery of Messrs. Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad that Sarvashri Bishundeo Singh, Kanhaiya Prasad Karan, Attendance Clerks, Ashok Kumar Das, Munshi and

Bachu Singh, Night Guard of West Ramkanali Section should be allowed to resume duty is justified? If so, to what relief are the workmen concerned entitled and from what date?"

The case of the workmen is that the concerned four workmen involved in the present reference were permanent workmen of Ramkanali Colliery of M/s. B.C.C.L. The concerned workmen Shri Bishundeo Singh, Attendance Clerk and Bachu Singh were stopped from work by the management with effect from 31-1-73. The concerned workmen named Shri Kanhaiya Prasad Karan, Attendance Clerk and Shri A. K. Das, Munshi were stopped from work by the management with effect from 5-2-73. The management had stopped their work without assigning any reason. Since then they are sitting idle. After the stoppage of their work their matter was taken up with the management by their union RCMS, Dhanbad which was then named as Colliery Mazdoor Sangh for allowing them to resume their duties. But the management did not allow them to resume their duties. The management treated them as inductees in the employment of Ramkanali colliery and as such their cases were placed before the screening committee constituted under the direction of the Ministry to examine the case whether they were really inductees or not. The management revealed that for non-submission of authentic documents on behalf of the concerned by the screening committee. The bonafide of employment of workmen is established by the entries in Form B Register, Wage Register and Bonus Register. The extracts of entries of such registers in respect of workmen are not supplied to a workman by the management. But the management is expected to produce the said registers in their possession before any competent authority on the request of the workmen but the management did not produce those documents in the Industrial Dispute ruled by the RCMS before the ALC(C), Dhanbad, in the case of Shri Kanhaiya Pd. Karan, A. K. Das and 29 other workmen during the conciliation proceeding. As those papers were not produced by the management during the conciliation proceeding the Govt. of India, did not consider their dispute for reference. The concerned workmen, however, continued the efforts for long time in search of valid documents to prove bonafide of their employment in the colliery. Ultimately they succeeded in getting photo copies of such documents to prove the bonafide of their employment in the colliery before the stoppage of their work. After the said documents were available to the workmen, they served as additional evidence of their case, and the case of the concerned workmen were taken up with ALC(C), Dhanbad by RCMS vide its letter dated 5/7-8-81. The management appeared in the conciliation proceeding but it ended in failure and thereafter on the recommendation of the conciliation machinery the present reference was referred by the Ministry for adjudication.

The bonafide of the employment of Shri Kanhaiya Pd. Karan and Ashok Kumar Das before the date of their stoppage is proved by a letter dated 2-9-74 addressed to the Personnel Manager Area No. II Sijua area by Shri B. Dasandhi, Sub-area Manager, Angurpathra sub-area. The report of Shri B. Dasandhi regarding the entries in respect of the two concerned workmen bear testimony to the bonafides of their employment in the colliery before the date of their stoppage of their duties. If the management produced the relevant registers like Form B Register wage sheet, Bonus Register in original containing entries in respect of the concerned workmen for the period from their respective date of appointment, the bonafides of the claim of the above two concerned workmen will be fully established.

The certificates dated 8-8-72 and 25-11-72 of Shri Bishundeo Singh, Attendance Clerk, Bachu Singh, Night Guard under the signature of the partners of the erstwhile colliery will prove that they had been in employment of the collieries since 19-7-72 and 22-7-72 respectively. Their dates of appointment as shown in Form B Register tally with these dates in the certificates granted by the partners of the colliery. The names of Bishundeo Singh and Bachu Singh figures at Sl. No. 1535 and 1336 in Form B Register. The names of Bishundeo Singh and Bachu Singh figures at Sl. No. 5 and 1 respectively in wagesheets for the week ending 27-1-73. The date of appointment of Shri Bishundeo Singh and Bachu Singh is shown as 19-7-72 and 22-7-72 respectively in Form B Register. The present industrial dispute in respect of these two con-

cerned workmen has been raised again only after availability of photo copy of the extracts from Form B Register wagesheets and Bonus Registers.

The management concealed to produce the above mentioned documents in their possession with ulterior motive to cover up their lapses of stopping the workmen from their duty without assigning any reasons. In view of the above the action of the management in stopping the concerned workmen from work is arbitrary, illegal and unjustified. It was prayed on behalf of the concerned workmen that the concerned workmen be reinstated in their services with back wages and continuity of their service from their respective dates of stoppage.

The case of the management is that Ramkanali colliery which is non-coking coal mines was taken over by the Central Government on 31-1-73 and it was nationalised with effect from 1-5-73. West Ramkanali colliery was a part and parcel of Ramkanali colliery. None of the four concerned workmen were in employment in West Ramkanali before the date of take over. They were also not the members of the C.M.P.F. After the take over of the colliery a screening committee was constituted consisting of the representative of the employer and the workmen to investigate and scrutiny the claims of the workmen for employment. The said screening committee found that the claim of the concerned workmen as employees of West Ramkanali or West Ramkanali colliery was without any basis. No authentic document was produced before the screening committee to substantiate the claim of the concerned workmen. RCMS had previously raised a dispute before the ALC(C), Dhanbad some times in March, 1974 for allowing Kanhaiya Pd. Karan and Shri A. K. Das along with 29 others for giving them employment. As there was not sufficient ground to establish the claim of the workmen the Government did not consider the dispute fit for reference. It has been submitted on behalf of the management that no further grounds were placed before the Government to reconsider their early decision and make the present reference and hence the reference is bad and is not legally maintainable. The demand of the concerned workmen is speculative and is not supported by any valid documents. As the concerned workmen were not employed in the colliery there was no question of stopping them from work and as such the demand of the concerned workmen for allowing them to resume their duties is unjustified.

The points for decision are :—

1. Whether the concerned workmen were workmen of Ramkanali Colliery prior to its take over by the Central Government on 31-1-73/or its nationalisation with effect from 1-5-73.
2. Whether the concerned workmen are entitled for employment by the Central Government under Section 14 of the Coal Mine Nationalisation Act, 1973.

The workmen examined four witnesses and produced documents Ext. W-1 to W-8 in support of their case. The management examined one witness in support of their case. Admittedly Ramkanali colliery was non-coking coal mine. WW-1 Shri N. K. Singh who is now working as Dy. C.M.E. was working in West Ramkanali colliery from 1967 to August, 1973, as Asstt. Manager and subsequently as Manager from January, 1972. He has stated that the said colliery is Non-coking coal mine with was taken over in January, 1973 and nationalised in May, 1973. He has proved the photo copy of wagesheet Ext. W-1 bearing his signature as Manager of West Ramkanali colliery. The said Wagesheet which is Ext. W-1 bearing his signature as Manager of West Ramkanali colliery for the week ending 27-1-73 shows that the concerned workman Bachu Singh, Night Guard had worked from 22-1-73 to 27-1-73 and had received payment of his wage amounting to Rs. 45.06 P. Sl. No. 5 of Ext. W-1 shows that the concerned workman Bishundeo Singh, Attendance Clerk had also worked for 6 days from 22-1-73 to 27-1-73 and had received wages for this 6 days amounting to Rs. 48.36 P. This is the photo copy of wage register the original of which was called for from the management but the management did not produce the wagesheet of the period to falsify the wage sheet Ext. W-1. WW-1 was the Manager of West Ramkanali colliery at the relevant period and Ext. W-1 contains his signature. Thus the authenticity of Ext. W-1 cannot be suspected this document Ext. W-1 thereof ore shows that the concerned workman Bachu Singh and Bishundeo

Singh, Night Guard and Attendance Clerk respectively were the workmen of Ramkanali colliery during the week ending 27-1-73 and that they were paid the wages for the said period on 8-2-73.

WW-1 has proved the letter Ext. W-2 dated 16-1-73 which is under his signature as Manager. Ext. W-2 shows that WW-1 Shri N. K. Singh as Manager of West Ramkanali colliery had written to Kanhaiya Pd. Karan, Attendance Clerk of West Ramkanali colliery that since last two weeks Kanhaiya Pd. Karan was not observing punctuality in attending to his duties on account of which proper functioning of the colliery was adversely affected and accordingly he was warned to amend himself failing which disciplinary action was threatened. This letter Ext. W-2 goes to show that the concerned workman Kanhaiya Pd. Karan was working in West Ramkanali colliery prior to 16-1-73. Ext. W-3 and W-3/1 are petitions dated 10-2-73 and 12-2-73 written by the concerned workman Bishundeo Singh, Attendance Clerk and Bachu Singh Night Guard respectively to the custodian, C.M.A. Katras Chotudih Sub-Area No. 5 through the Manager, West Ramkanali colliery. WW-1 has stated that these two letters bear his note under his signature. The note of WW-1 dated 20-2 as Manager shows that the petitions were forwarded with recommendation for favourable consideration. The fact that WW-1 as Manager had forwarded the petitions of Bishundeo Singh and Bachu Singh with recommendation for favourable consideration also shows that they were working in West Ramkanali colliery prior to 31-1-73 and as such their petitions were forwarded to the custodian for favourable consideration to give them employment.

Ext. W-4 dated 2-9-74 is the such talked about letter by Shri B. Dasandhi the then Sub-Area Manager Angarpathra Sub-Area to the Personnel Manager, Area No. II Sijua regarding the case of workmen whose petitions for employment were required to be considered by the screening committee. The comment of Shri B. Dasandhi in Ext. W-4 in regard to the concerned workman Kanhaiya Pd. Karan Attendance Clerk and Ashok Kumar Das Munshi shows that their names appear under Sl. No. 71 and 72 of the list of workers which had been sent together with the letter dated 8-8-74 from the Chief Personnel Manager. About Kanhaiya Pd. Karan it is stated by Shri B. Dasandhi that his name is recorded under Sl. No. 2073 of Form B Register of West Ramkanali colliery which was seized at the time of take over of the said colliery and that the date of his appointment has been shown as 10-5-71 in that Form B Register. Shri Dasandhi has further stated that the name of Kanhaiya Pd. Karan appears in the Bonus Register of West Ramkanali colliery at page 222 showing that he had 6 days attendance in each of the week ending 6-1-73, 13-1-73, 20-1-73, 27-1-73. The wage sheets for the week ending 6-1-73, 13-1-73, and 20-1-73 in support of the above entry in the Bonus Registers were not available among the seized records. However, the wagesheets for the week ending 27-1-73 was available in the colliery as the wages for the said week had been disbursed on 3-2-73 i.e. just after take over. He has stated that in the said sheet to name of Kanhaiya Pd. Karan in under Sl. No. 104 and his designation has been shown as Attendance Clerk. Shri B. Dasandhi also found from the records of the colliery that Kanhaiya Pd. Karan was sent to the Regional Hospital, Katrasgarh on 17-12-72 under the signature of Shri O. P. Agarwal, Manager of West Ramkanali colliery. Thus it appears that Shri Dasandhi had made his report after perusing the records which were seized from the possession of the erstwhile management. There is no reason to suppose as to why Shri Dasandhi would have given a false report regarding the faith found by him. From the documents examined by him it appears clear that Shri Kanhaiya Pd. Karan was working as an Attendance Clerk in Ramkanali colliery.

Shri Dasandhi has further stated in Ext. W-4 that the name of the concerned workman A. K. Das is mentioned in Sl. No. 2213 of the seized Form B Register and the date of his appointment has been shown as 22-5-71. In the Bonus Register for the year 1973 the name of Ashok Kumar Das is in page No. 210 and it further shows that Ashok Kumar Das was present for 6 days in each of the week ending 6-1-73, 13-1-73, 20-1-73 and 27-1-73. As in the case of Kanhaiya Prasad Karan the wagesheet in respect of Ashok Kumar Das for the week ending 6-1-73, 13-1-73 and 20-1-73

of the time of the erstwhile management were not available but the wagesheet for the week ending 27-1-73 was available in which the name of Ashok Kumar Das was mentioned at Sl. No. 208 and his designation was shown as Hard Coke Munshi Shri Ashok Kumar Das was also sent to the Regional Hospital by Shri O. P. Agarwal the then Asst. Manager, West Ramkanali colliery on 22-12-72.

Ext. W-6 is a receipt under the signature of Shri B. N. Jha, Personnel Officer of the Headquarters to show that he had received the Original Bonus Register for the period from 1-1-72 to 31-12-72 of West Ramkanali colliery pertaining to the period prior to take over of the above colliery from Shri K. N. Gupta, Personnel Officer, Angarpathra sub-area. It is clear therefore from Ext. W-6 that the Bonus Register for the period 1-1-72 to 31-12-72 of West Ramkanali colliery for the period prior to take over of the above colliery was with the BCCL but the same has not been produced. The workmen had filed petition with a prayer to call for documents from the employers and a copy of the said petition had been received by the management on 19-5-83. The documents called for from the management in that petition were not filed by the management and I do not find any cogent reason as to why the management did not file those documents. The records called for from the management in the said petition besides other documents included Form B Register for 1972, Bonus Register for the year 1972, wagesheet for the years 1972 and 1973. The workmen in that very petition had stated that photo copies of those documents have been filed by the union along with rejoinder dated 8-4-83 but even inspite of that notice the management did not chose to produce the documents called for by the workmen. If the management thought that the documents of which photo copies have been filed by the workmen were not genuine, the management should have filed its original which appears to be in possession of the management. An adverse inference has to be drawn for non-production of the original called for from them by the workmen.

WW-4 is Asstt. Secretary of R.C.M.S. Headquarters of BCCL whose union had raised the dispute firstly in 1973. He has stated that Bonus Registers were received from the colliery at the headquarters and Shri K. N. Gupta, Personnel Officer, Angarpathra Sub-Area had handed over the Bonus Register to Shri B. N. Jha, P. O., Headquarters and has proved the said receipt Ext. W-6. He has stated that the management did not file the said Bonus Register before the ALC(C), Dhanbad at the time of conciliation where it was called for by the union from the management. Thus Ext. W-6 and the evidence of WW-4 shows that although the Bonus Register for the period from 1-1-72 to 31-12-72 of West Ramkanali colliery was received by the Personnel Officer at the headquarters was not being produced. No evidence has come forward to explain as to why those documents are not being produced by the management. The only witness examined on behalf of the management is MW-1 who is silent on the point. It is clear therefore that the management is suppressing the Bonus Register of the erstwhile management which would have shown whether the concerned workmen were in employment of the erstwhile management of West Ramkanali colliery.

Ext. W-5 dt. 8-8-72 and Ext. W. 5/1 dt. 25-11-72 are certificates granted to the concerned workman Bishundeo Singh and Bachhu Singh respectively by the partner of the erstwhile West Ramkanali colliery. It shows that Bishundeo Singh was working as an Attendance Clerk in the colliery since 19-7-72 and that Bachu Singh was working in the colliery as Night Guard since 22-7-72. WW-3 Shri Hari Shankar Singh is working as Accounts Assistant in Katras Area. He was appointed in West Ramkanali colliery and had worked there till the end of 1974. He has stated that he knows all the concerned workmen who were working in West Ramkanali colliery since before his appointment in West Ramkanali colliery. He has stated that the concerned workman Bishundeo Singh and Kanhaiya Pd. Karan were working as Attendance Clerk. Ashok Kumar Das was working as Munshi and Bachu Singh was working as Night Guard. He has further stated that Bishundeo Singh and Kanhaiya Pd., Karan were working in the quarry of West Ramkanali colliery. He has proved the certificate Ext. W-5 and W-5/1 bearing the signature of Shri N. K. Bala partner of West Ramkanali colliery. MW-1 at page 4 of his deposition has stated that at the time of take over the colliery Shri

B. N. Bole was the owner of the colliery. Thus it appears that the owner of West Ramkanali colliery had in fact issued the certificates Ext. W-5 and W-5/1 to the concerned workman Bishundeo Singh and Bachu Singh showing that these persons were working as Attendance Clerk and of Night Guard respectively in Ramkanali colliery at the time when these certificates were issued.

WW-2 is the concerned workman Shri Kanhaiya d. Karan. He has stated that he was working in West Ramkanali colliery since 10-5-71 as Attendance Clerk and that the said colliery was taken over by the Central Govt. on 31-1-73 and that he worked there continuously till 4-2-73 and thereafter the Manager stopped him from work by verbal order. He has stated that the three concerned workmen and others were also stopped work along with him without giving any notice or any reason in writing as to why their work was being stopped. He has further stated that the concerned workman Ashok Kumar Das was working as Munshi, Bachu Singh was working as Night Guard and Shri Bishundeo Singh was working as Attendance Clerk. He has stated that they approached the R.C.M.S. when they were not given work. He has stated about the setting up of a screening committee in the colliery. He has further stated that he had not received any notice from the screening committee and no show cause notice was given to him by the screening committee. He has, in the cross-examination, stated that he was not a member of the Coal Mines Provident Fund, does not possess any letter of appointment or any other paper to show that he was working during the erstwhile management. These facts which have been admitted by one of the concerned workman have been taken advantage of by the management to show that as the concerned workman had not worked in West Ramkanali colliery he was not a member of C.M.P.F. and did not possess any letter of appointment or any other paper to show that he was working in West Ramkanali colliery. WW-1 who was the manager of West Ramkanali colliery has stated that in some cases he had issued letters to the workmen stopping from work but in some cases he had verbally asked the Personnel Officer to stop workmen and to issue letters to them. The management has not produced any letter to show that it was issued to the workmen whose work was stopped by the Personnel Officer. WW-3 Shri Hari Shankar Singh and WW-4 Shri R. K. Singh are admittedly working in BCCL. WW-3 has stated that he was appointed in West Ramkanali colliery on 1-11-71 and had worked there till the end of 1974. He knew all the concerned workmen who were working in West Ramkanali colliery since before his appointment. He has stated that no appointment letters were being issued by the erstwhile management at the time they were appointed. He has further stated that no Bonus Card was being issued to the workmen by the management and they were not made members of C.M.P.F. and no wage slips were being issued to them. He became member of C.M.P.F. in 1974 after the colliery was nationalised. In the cross-examination he has stated that the rules regarding the C.M.P.F. were not being followed by the erstwhile management. He has also stated that all the workmen used to get the Bonus but the amount was given to them in accordance with the mercy of the erstwhile management. He goes on further to say that his signature was not obtained in respect of payment of Bonus. He has stated that he did not receive any letter of dismissal and he was orally stopped work. No P.F. no. was allotted to him by the erstwhile management. MW-1 has stated that the workmen were paid bonus by the erstwhile management and they were also being made members of the C.M.P.F. and Bonus card used to be issued to them. If it is so the management ought to have produced the Bonus Register, C.M.P.F. register, Bonus card which was received by the management from the erstwhile management in order to show that the concerned workmen was not working in West Ramkanali colliery at the time of take over. It will appear from the evidence of MW-1 of his cross-examination that he is not aware if the old Form B Register of the erstwhile management is with the present management. The management did not examine any competent person from the office to show about the position of Form B Register of the erstwhile management. He has stated that about 800 to 900 workmen were working at the time when West Ramkanali colliery was taken over. His further evidence at page-3 shows that there

were about 550 to 600 workmen who were members of C.M.P.F. prior to nationalisation. It is apparent therefore that all the 800 to 900 workmen who were working in West Ramkanali colliery at the time of take over were not members of the C.M.P.F. otherwise all of the 800 to 900 workmen would have been members of the C.M.P.F. his evidence of MW-1 supports the case of the workmen that all the workmen working in West Ramkanali colliery were not made members of C.M.P.F. by the erstwhile management. MW-1 has stated that he cannot identify all those workmen and had no concern with the preparation of Wage sheet, Bonus Card, Bonus Register and Provident Fund register. He was working in the office as Wagon despatch clerk, and he had not worked in the underground. Some questions have been put to him in cross-examination to falsify his evidence that it was not possible for him to identify all the workmen who were working in West Ramkanali colliery and it appear from his evidence that he did not identify all the workmen and could not say the name of the Attendance Clerk of the Quarry. In my opinion the management has not been able to adduce the evidence of competent persons to falsify the evidence adduced on behalf of the workman which finds support from the evidence of WW-1 who was not less a person than the Manager of West Ramkanali colliery at the relevant time besides the documents in respect of which the management has not adduced any evidence to doubt its genuineness.

In view of the facts, evidence oral and documentary, I hold that the concerned four workmen were the workmen of Ramkanali colliery at the time of take over.

It has been submitted on behalf of the management that Section 14 of the Coal Mines (Nationalisation) Act, 1973 relates to the provision relating to employees of non-coking Coal Mines. It provides that every person who is a workman within the meaning of I.D. Act, 1947 and has been immediately before the appointed day, in the employment of Coal Mine shall become, on and from the appointed day, an employee of the Central Govt., or, as the case may be, of the Govt. company in which the right title and interest of such mine have vested under this Act, and shall hold office or service in the coal mine with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in respect to such coal mine had not been transferred to and vested in, the Central Govt. or the Govt. company and continued to do so unless and until his employment in such coal mine is duly terminated and until his remuneration, terms and conditions of employment are duly altered by the Central Govt. or the Govt. company. It was under this provision that all the workmen who were working in a non-coking Coal Mine at the time of take over automatically become employee of the Central Govt. or the Govt. company which took over the said mine. It has been submitted on behalf of the management that it was under the provision of Section 14 that all those persons who were working in the taken over colliery were taken in employment of the B.C.C.L. but the said provision has been amended and completely substituted by a new section under the coal mines nationalisation laws (amendment) Act, 1986. It is submitted that since the provision of Section 14 of the Coal Mines (Nationalisation) Act, 1973 regarding giving the employment to the workmen of the erstwhile management who were working at the time of take-over no longer exists on the statute and as such no workmen who was working in a coal mine of the erstwhile management at the time of take-over cannot claim employment from the management which had taken over the said coal mine. In order to appreciate the provision of law let us first refer to Section 1 clause (2) of the Coal Mines Nationalisation Laws Act, 1986. It provides that save as otherwise expressly provided the amendment to the Coking Coal Mines Nationalisation Act, 1972 shall be deemed to have come into force on the first day of May, 1972 and the management to the Coal Mines (Nationalisation) Act, 1973 shall be deemed to have come into force on the first day of May, 1973, and the remaining provisions of this Act shall be deemed to have come into force on the 7th day of October, 1986. It appears therefore, that the amendment of the Section of Coal Mines (Nationalisation) Act, 1973 by the Coal Mines Nationalisation Laws Act 1986 will be deemed to have come into force on 1-5-73. It further shows the provision other than the amendment of the coal



mines nationalisation law, 1987 shall be deemed to have come into force on 7-10-86, thus a distinction has been made regarding the coming into force of the provision of the Coal Mines Nationalisation Act, 1986 in respect of the amendment made therein and the remaining provisions of the this Act. The amendment made in this act shall be deemed to have come into force on the first day of 1973 in respect of the Coal Mines (Nationalisation) Act, 1973 and so far the remaining provision which are not amendment in the Act of 1986 shall be deemed to have come into force on 7-10-86. On perusal of the Act it appears that Section 3, 4, 8, 18, 10, 26 of the Coal Mines Nationalisation Act, 1973 have been amended vide Section 11, 12, 13, 15, 16, and 18 of the Coal Mines Nationalisation Laws, 1986 and Section 14 and 25, of the Coal Mines Nationalisation Act, 1973 have been substituted vide Section 14 and 17 of the Coal Mines Nationalisation Laws Act, 1986. It appears therefore that the sections which have been stated above to have been amended in the Coal Mines Nationalisation Act, 1973 are deemed to have come into force on 1st May, 1973 and that the remaining provision regarding the substitution mentioned above come into force on 7-10-86. It is clear therefore that Section 14 of the Coal Mines Nationalisation Act, 1973 which was substituted vide Section 14 of the Coal Mines Nationalisation Laws Act, 1986 come into force on 7-10-86 and that Section 14 of the Coal Mines Nationalisation Act, 1973 was in operation till prior to 7-10-86. It will appear that the provisions regarding giving employment to the workmen working in the colliery prior to take over were to be given employment under the provisions of Section 14 of the Coal Mines Nationalisation Act, 1973 and the said provision was in force till prior to 7-10-86. The present dispute was raised prior to the substitution of Section 14 of the Coal Mines Nationalisation Act, 1973 by the Coal Mines Nationalisation Laws Act, 1986. As the present reference is dt. 26-2-82 and the industrial dispute must have been raised even prior to 1982 when old Section 14 of the Coal Mines, 1973 was very much on the statute, that the provisions of Section 14 of the Coal Mines, 1973 was available to the workmen at the time when they had raised the dispute and the delay in the disposal of the case is not on account of the workmen but because of non-availability of the Presiding Officer of CGIT No. 1, Dhanbad for a sufficient long time and it could be disposed off only when the case was referred to this Tribunal for adjudication. Taking the above view of the provision of law I hold that the substitution of Section 14 of the Coal Mines Nationalisation Act, 1973 cannot debar the workmen from the advantage that was available to them under the said Act prior to the coming into force of the Coal Mines Nationalisation Laws Act, 1986. I hold therefore that the provision of Section 14 of the Coal Mines Nationalisation Act, 1973 were available to them.

The concerned workmen were workmen of Ramkanali colliery at the time of take over by the Central Govt. and as such the concerned workmen were entitled for employment under the Central Govt. under Section 14 of the Coal Mines Nationalisation Act, 1973. The refusal of employment to the concerned workmen was not in accordance with the prevailing law and as such the concerned workmen are entitled to get employment under Section 14 of the Coal Mines (Nationalisation) Act, 1973 from the date of its take over/nationalisation by the management of BCCCL.

In the result, I hold that the demand of the workmen of Ramkanali colliery of M/s. B.C.C.L. that the concerned workmen S/Shri Bishundeo Singh, Kanhaiya Pd. Karan, Attendance Clerks, Ashok Kumar Das, Munshi and Bachu Singh, Night Guard of West Ramkanali section should be allowed to resume duty from the date of take over is justified. The management is therefore directed to reinstate them in their service with continuity of service from the respective date of stoppage of their duty. As the concerned workmen had not worked for all these period and the present dispute has been raised after sufficient delay, I hold that the concerned workmen should be paid only half of the back wages and other allowances which could be available to them under the Wage Board Recommendation and NCWAs applicable at the relevant period w.e.f. the respective date of their stoppage from duties. The management is further directed to

reinstate them within one month from the date of publication of this Award and to pay the arrears after calculating the same within two months of the publication of the Award.

This is my Award.

Dt. 29-7-87.

1. N. SINHA, Presiding Officer  
[No. I-20012/352/81-D.III(A)/  
No. I-20025/9/85-D.III(A)]

का. प्रा. 2387.—औद्योगिक विवाद अधिनियम, 1947 (1974 का 11) की धारा 17 के अन्वये में, केन्द्रीय सरकार, लोयाबाद कॉलि-यरी, मेहनत भारत कोकिंग कॉलि मिनिटिश के प्रबन्धन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अन्तर्वध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या-2, धनबाद के प्वाइंट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-87 को प्राप्त हुआ था।

S.O. 2387.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of Loyabad Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 90 of 1986

In the matter of Industrial dispute under section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Loyabad Colliery of M/s. B.C.C.Ltd., and their workmen.

APPEARANCES :

On behalf of the workmen—Shri Lalit Burman, Vice President, United Coal Workers Union.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 30th July, 1987

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (185)/85-D.III(A), dated, the 30th January, 1986.

SCHEDULE

“Whether the action of the management of Loyabad Colliery of M/s. Bharat Coking Coal Limited, P.O. Loyabad (Dhanbad) in superannuating Shri Baijua Mahato, Miner of Loyabad Colliery with effect from 1st January, 1985 is justified? If not, to what relief the workman is entitled?”

The case of the workman is that the concerned workman Shri Baijua Mahato was working as a Miner in Loyabad colliery of M/s. B.C.C.Ltd. since 3-5-66. After the nationalisation of the colliery he was given an identity card No. MI/41308 in which his date of birth or age was not noted. The management issued a notice dt. 18-11-84 for superannuation of the concerned workman with effect from 1-1-85. On receipt of the said notice the concerned workman made representation to the Supdt. Loyabad colliery dt. 4-12-84 and, 7-12-84 stating that there is no mention of date of birth or age in the identity card issued by the management and that his age was hardly 40 years at the relevant proposed date of



his superannuation and that there was some mistake in the matter. The concerned workman personally appeared before the Supdt. Loyabad colliery who marked that the concerned workman does not appear 60 years. Even in spite of all that the concerned workman was superannuated with effect from 1-1-85. Thereafter the concerned workman approached his union and the union demanded that as there was no mention of the age or date of birth of the concerned workman in the identity card issued to him and as it was apparent and glaring case of wrong entry of case, the concerned workman should be referred to the Apex Medical Board of the company, for the determination of his age as per circular dt. 5-2-81 of the JBCCI and that the concerned workman should be allowed to continue in his service. The management refused to concede the said demand of the union and thereafter an industrial dispute was raised before the ALC(C), Dhanbad which ended in failure of conciliation and resulted in the present reference. It is submitted on behalf of the workman that the action of the management amounts to premature superannuation and wrongful termination of service of the concerned workman. It has been prayed that the concerned workman should be reinstated with full back wages and other benefits, and should be referred to the medical board for the purpose of determination of his age for future superannuation.

The case of the management is that the concerned workman was born in the year, 1924 as per the statutory records maintained under Section 48 of the Mines, Act, 1952. The concerned workman completed the age of 60 years in the year 1984 and as such his superannuation with effect from 1st January, 1985 was legal, bona fide and justified. The concerned workman had claimed that the date of birth column in his identity card remained blank and as such the date of birth column of I.D. Card register must have been blank at the time of issue of the I.D. Act to him. According to the management it is quite probable that the writer of the identity card failed to fill up the column against the date of birth although the same was available in the identity card register. It was submitted on behalf of the management that the omission to mention the date of birth in the identity card does not mean a glaring difference of the age of the concerned workman recorded in the different registers maintained by the management. A workman is sent to a medical board for determination of his age if there exists glaring variation of the age recorded in the different registers of the management. The management has taken the policy decision to send a workman to determine the age by the medical board only in case where there exists glaring difference between the age recorded in the different registers of the management and the said policy decision has been accepted by all the union. The age recorded in the statutory registers should be taken as conclusive for the purpose of superannuation if there is no glaring difference between the age recorded in the different registers of the management. If there is no glaring difference between the age recorded in the different registers of the management, the management has no right to correct the statutory records on the basis of age determined by the medical board and the retired employee will have no right to demand for correction of age recorded in the register of the management. The demand of the union for determination of the age of the concerned workman by the Medical Board is unreasonable and without any basis and as such it cannot be accepted and the concerned workman is not entitled to any relief.

The only point for determination is whether the superannuation of the concerned workman Shri Baijua Mahato with effect from 1st January, 1985 was justified.

In other words it has to be seen whether the concerned workman had been superannuated on completing the age of his superannuation.

The management and the concerned workmen have each examined one witness in support of their respective case. The workmen have filed documents which have been marked Ext. W-1 to W-4 and the documents on behalf of the management have been marked Ext. M-1 and M-2.

It is the admitted case of the parties that the concerned workman was superannuated with effect from 1st January, 822 GI/87-7

1985. The case of the management is that he was superannuated when he had completed the age of 60 years. The case of the workmen on the other hand is that he was aged only 40 years at the time of superannuation. Ext. W-1 is the identity card issued to the concerned workman. There is no mention of age or date of birth of the concerned workman in Ext. W-1. On the basis of the non-entry of age or date of birth in Ext. W-1 it is submitted on behalf of the workmen that his age or date of birth was not noted in the identity card register. WW-1 is the concerned workman who has stated that he was aged 20 years when he was appointed as Miner/Loader in Loyabad Colliery in 1966. He has further stated that after nationalisation of the coal mines he was given identity card Ext. W-1 by the management of Loyabad Colliery and it bears his photo. He has stated that he was stopped from work from 1st January, 1985 and was told that at that time that his work was being stopped as he had attained the age of 60 years. He stated that he filed a petition before the management protesting that he had not completed 60 years of age and that he was still 40 years and thereafter the manager of the colliery had called him and seen him and was instructed by the Agent to report to the Personnel Officer of the colliery. He has admitted in his cross-examination that he has no paper with him in support of the fact that he is aged 40 years only. Ext. W-2 dated 4th December, 1984 and W-3 dated 17th December, 1984 are the two petitions which the concerned workman had sent to the Superintendent Loyabad Colliery stating that he was aged only 40 years and that there was a mistake in issuing notice of superannuation. Except for the self serving statements of the concerned workman there is no document or evidence of any reliable witness about the age or date of birth of the concerned workman.

The management examined MW-1 who is working as Sr. Personnel Officer in Loyabad colliery. He has proved Form B Register Ext. M-1 and identity card register Ext. M-2 of Loyabad Colliery. It appears from Sl. No. 32 of Form B Register Ext. M-1 that the year of birth of the concerned workman is noted as 1924 and there is a thumb mark against the entry of name of the concerned workman to show that the matter was under the knowledge of the concerned workman regarding the year of birth recorded in the Form B Register. Ext. M-2 is the identity card register and in Sl. No. 77612 there is the entry of the name of the concerned workman Baijua Mahato. It appears from the evidence of MW-1 that this identity card register Ext. M-2 was prepared sometime in the year 1976 which does not appear to be very accurate as the identity card register Ext. M-2 shows that the age of the workman was recorded as on 1st January, 1976. It shows that the year of birth of the concerned workman was noted as 1924 and that he was aged 52 years on 1st January, 1976 and address of the concerned workman is also noted on it. There is also the photograph of the concerned workman on it. It is clear therefore that when the identity card Ext. W-1 was issued to the concerned workman on 17th April, 1973 the identity card register Ext. M-2 had not been prepared. It was for this reason, probably that the date of birth or the year of birth of the concerned workman was not noted in the identity card register Ext. W-1. The identity card register Ext. M-2 actually came into existence some time in 1976. But the said identity card register mentioned the year of birth of the concerned workman as stated in the Form B Register Ext. M-1. Thus apparently there is no glaring or apparent error in the entry of the age of the concerned workman in the two registers maintained by the management. So far the Form B Register Ext. M-1 is concerned nothing has been shown to indicate that entry of age in it was wrong. The concerned workman can get advantage of the circular dated 5th February, 1981 of the JBCCI for getting his case referred to the Apex medical board for determination of his age only when there exists a glaring variation of the age recorded in the different registers of the management. In the present case we do not find any glaring variation of the age of the concerned workman in the different registers of the management. The non-mention of the age in the identity card cannot be said to be a variation of age of the concerned workman in the register of the management.

My attention has been drawn to a note written in the margin of Ext. W-3. MW-1 has admitted that the note in the margin of Ext. W-3 is in the writing of Shri J. N. Gupta

Superintendent of Loyabad Colliery. The said note is as follows :—

"P.O. to please speak. The case certainly does not appear to be of 60 years."

There is no doubt an observation of the Superintendent to show that the concerned workman did not look like 60 years when he had appeared before the Superintendent on 18th December, 1984. The said observation of the age of the concerned workman by the Superintendent was based on his physical look which was of a layman. The physical appearance of a person sometimes is deceptive in respect of age and as such it is not possible to give a finding of age of any person on the basis of the observation of the physical appearance by a layman. The said observation of the Superintendent therefore cannot be of any effect to bring it under the provision of the JBCCI circular dated 5th February, 1981 and on that basis a workman cannot claim to be referred to the medical board for the determination of his age as the said observation cannot be said to be a glaring difference between the age recorded in the different registers of the management.

In view of the above I hold that there does not exist any glaring variation of the age of the concerned workman recorded in the different registers of the management and as such he cannot be referred to the medical board for the determination of his age. I further hold that the concerned workman has been superannuated on completing the age of his superannuation in accordance with his age recorded in the registers of the management.

In the result, I hold that the action of the management of Loyabad Colliery of M/s. B.C.C.L. in superannuating the concerned workman Shri Baijua Mahato, Miner of Loyabad Colliery with effect from 1st January, 1985 is justified and consequently he is entitled to no relief.

This is my Award.

Dated : 30th July, 1987.

I. N. SINHA, Presiding Officer  
[No. L-20012/185/85-D. III(A)].

का. भा. 2388.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार तीव्रिया कोलियरी, मैसर्स भारत कोकिंग कोल लिमिटेड, के प्रबंधन के सम्बन्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण [संख्या-2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 अगस्त, 1987 को प्राप्त हुआ था।

S.O. 2388.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of Tetturiya Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on 10th August, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 24 of 1985

In the matter of Industrial dispute under section 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Tetturiya Colliery of Messrs Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri S. Bose, Secretary R.C.M.S., Dhanbad.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 5th August, 1987

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (384)/84-D.III (A), dated, the 29th May, 1985.

SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that the management of Tetturiya Colliery of Messrs Bharat Coking Coal Limited, should designate their workmen Shri Karim Mian, as Mason with wages in Category-IV with effect from January, 1978 is justified? If so, to what relief is this workman entitled?"

In this case the workmen and the employers filed their respective written statement. Thereafter on 27-7-87 both the parties appeared before me and filed a petition of compromise. I heard the parties on the said petition of compromise and do find that the terms contained therein are fair and proper. Accordingly I accept the same and pass an Award in terms of the said petition of compromise which forms part of the Award as Annexure.

Dated : 5-8-1987.

I. N. SINHA, Presiding Officer  
[No. L-20012/384/84-D.III (A)]

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 2, AT DHANBAD

Reference No. 79/80

Employers in relation to the Management of Tetturiya Colliery.

AND

Their workmen.

Petition for Compromise

The Humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That without prejudice to the respective contentions of the parties, the dispute has been amicably settled on the following terms :—

Terms of settlement

(a) That the concerned workman Sri Karim Mian will be regularised as Mason in Category-IV with immediate effect.

(b) That the concerned workman Sri Karim Mian will not claim any difference of wages between Category-IV and actual wages received by him for the period prior to the date of regularisation.

2. That in view of the above settlement there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the terms of the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the Employers

General Manager  
Govindpur Area

For the workmen

G. D. PANDEY, Jt. General Secy. R.C.M.S.

Declaration

I, Shri Karim Mian, the concerned workman in the present reference, do hereby declare and state that I have fully understood the terms of settlement duly explained to me in Hindi and I accept the same with my own volition.

Signature/L.T.I. of the concerned workmen

Witnesses :

1. Mohd. Inus, Electrical Helper

2. Sd/- Illegible, Asstt. Secy. RCMS.

का. आ. 2389.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बारोरा कोयलरी, मैसर्स भारत कोकिंग कोल लिमिटेड, के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या-2, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 अगस्त, 1987 को प्राप्त हुआ था।

S.O. 2389.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of Barora Coal Washery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 10th August, 1987.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 113 of 1986

In the matter of industrial dispute under section 10(1)(d) of the I. D. Act, 1947

**PARTIES :**

Employers in relation to the management of Barora Coal Washery of Messrs Bharat Coking Coal Limited and their workmen.

**APPEARANCES :**

On behalf of the workman.—Shri S. Bose, Secretary, R.C.M.S. Union.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar INDUSTRY : Coal  
Dhanbad, the 5th August, 1987

**AWARD**

The Government of India, Ministry of Labour in exercise of the powers conferred on them under section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (281)/85-D.III (A), dated, the 21st February, 1986.

**SCHEDULE**

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that the management of Barora Coal Washery of Messrs Bharat Coking Coal Limited should regularise the services of their workman, Shri Lakhman Paswan as Munshi and place him in Clerical Grade-II is justified? If so, to what relief is this workman entitled and from what date?"

In this reference the workmen filed their W.S. Thereafter on 27-7-87 both the parties appeared before me and filed a memorandum of settlement. I have gone through the terms of settlement which appears to me to be fair and proper. Accordingly, I accept the same and pass an Award in terms of the settlement which forms part of the Award as annexure.

Dated : 5-8-1987.

I. N. SINHA, Presiding Officer  
[No. L-20012/281/85-D.III (A)]

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II AT DHANBAD**

Ref. No. 113/1986

Employer in relation to the management of Barora Coal Washery of Bharat Coking Coal Ltd., Dhanbad.

AND

Their workmen.

The parties beg to submit that the dispute covered by this reference has been settled out of the Court on the following terms :

- (1) That the concerned workmen viz. Shri Lakhman Paswan, General Mazdoor will be regularised as Munshi in Clerical Grade III with effect from 28th October, 1983 i.e. on completion of 240 days from 17-2-1983.
- (2) That the concerned workman is regularised as Munshi in Clerical Gr. III as it is being the entry point and there is no cadre-scheme for General Mazdoor in BCCL.

The above terms are fair and reasonable and therefore, the parties pray that the Hon'ble Tribunal will be pleased to refer the settlement and give the award in terms thereof.

For and on behalf of the workman/union

J. B. Singh  
Secretary,  
RCMS, Barora Coal  
Washery, Branch

For and on behalf of the employer

S. K. Banerjee, Dy. C.P.M.  
K. P. Sinha, P.M.  
D. K. Sinha, P.M.  
L. B. Prasad, Project Officer,  
Barora Washery.

Dated : 26-5-1987.

नई दिल्ली, 31 अगस्त, 1987

का० आ० 2390.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिजुआ कोयलरी, मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17 अगस्त, 1987 को प्राप्त हुआ था।

New Delhi, the 31st August, 1987

S.O. 2390.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sijua Colliery of M/s. Tata Iron and Steel Co. Ltd. and their workmen, which was received by the Central Government on the 17th August, 1987.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 358 of 1986

In the matter of industrial dispute under section 10(1)(d) of the I.D. Act., 1947.

**PARTIES :**

Employers in relation to the management of Sijua Colliery of M/s. Tisco. Ltd., and their workmen.

**APPEARANCES :**

On behalf of the workmen : Shri J. P. Singh, Advocate.

On behalf of the employers : Shri S. S. Mukherjee, Advocate.

STATE : Bihar INDUSTRY : Coal.

Dhanbad, the 7th August, 1987

### AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/275/86-D.III(A), dated the 15th December, 1986.

### SCHEDULE

"Whether the action of the management of Sijua Colliery of M/s. Tata Iron & Steel Co. Limited, in dismissing their workmen, Shri Surdhan Rai, Fitter Helper from services with effect from 14-9-1985 is justified? If not, to what relief the workman is entitled?"

The case of the workmen is that the concerned workman Shri Surdhan Rai was a permanent employee in the Sijua Colliery of M/s. Tisco. A chargesheet was issued against him on 19-8-85 by Shri K. L. Sharma, Manager (Opn) of Sijua Colliery alleging that on 9-8-85 at about 4 P.M. the concerned workman came to the Sub-station in the premises of Sijua Colliery where Shri A. K. Roy, Asstt. Engineer was sitting along with other officers and started shouting at him at the top of his voice in a very violent and indecent manner "SALA RAI SAHAB TUMKO HUM DEKH LENGE. TUM APNEKO SAMJHTE KAYA HO. TUMHARI SUB RANGDARI NIKLA DENGE". The concerned workman submitted his reply to the chargesheet denying the allegations, and made against him. The concerned workman had never any occasion to behave in a rude and violent way with Shri Roy who was so gentle. The concerned workman had never worked in the section of Roy Sahib nor he had any connection with him. The explanation of the concerned workman was not accepted and thereafter a domestic proceeding was ordered to be started against him. The concerned workman participated in the enquiry. On the basis of the enquiry report the concerned workman was dismissed from service. There is absolutely no mention in the chargesheet as to why the concerned workman had misbehaved with Shri A. K. Roy. The concerned workman was not supplied with the report of the incident dt. 9-8-85 alleged by Shri A. K. Roy on the basis of which he was chargesheeted. During the departmental enquiry a report was produced signed by Shri A. K. Roy dt. 10-8-85 addressed to the Manager, Sijua Colliery in which it was mentioned that the concerned workman had a relative who was staying in the garrage of Shri A. K. Roy and Shri Roy got the garrage vacated on 8-8-85. The said motive for the offence has not been mentioned in the chargesheet. The report of Shri Roy was subsequently prepared in order to provide a motive for the incident.

The domestic enquiry was conducted by the enquiry officer Shri B. Ghosh before whom four witnesses

were examined as management's witnesses. Apart from them there were other staff who were present at the time of occurrence but they have not been examined Shri A. K. Roy in the capacity of an officer influenced some other officers to depose in his favour in order to get the concerned workman dismissed. The concerned workman had not been given the facility of a co-worker to defend him in the domestic enquiry. The management at the instance of Shri A. K. Roy has adopted vindictive attitude and dismissed the concerned workman from service for the said petty offence alleged in the chargesheet. The concerned workman and his union demanded the reinstatement of the concerned workman which was refused by the management. Thereafter an industrial dispute was raised before the ALC(C), Dhanbad. The conciliation before him failed and thereafter the present reference was made before this Tribunal. It has been prayed that the concerned workman be reinstated in service with back wages and other emoluments with effect from the date of his dismissal.

The case of the management is that the concerned workman was initially appointed with effect from 3-5-55 as Line Mazdoor at Sijua Colliery. On 9-8-85 at about 4 P.M. he came to the sub-station premises of Sijua Colliery where Shri A. K. Roy, Asstt. Mining Engineer was sitting along with others. The concerned workman approached Shri A. K. Roy in a violent mood and started shouting at him in the top of his voice in an indecent and violent manner using abusive language. A chargesheet dt. 20-8-85 was issued to the concerned workman for the above indecent disorderly and riotous behaviour. The concerned workman submitted his reply dt. 30-8-85. The reply was not found satisfactory and thereafter a domestic enquiry was held into the charges against the concerned workman in which the concerned workman fully participated. The concerned workman was given full chance and opportunity to cross-examine the management's witness and to produce his defence witness. The concerned workman gave his own statement but did not examine any witness in his defence. The enquiry was conducted after observing the principles of natural justice. The enquiry officer found that the misconduct mentioned in the chargesheet was satisfactorily established on the basis of the evidence on record against the concerned workman. As the misconduct mentioned in the chargesheet was fully established and it was of serious nature the concerned workman was dismissed from service with effect from 14-9-85. It is submitted that the management was justified in dismissing the concerned workman with effect from 14-9-85 and that the concerned workman is not entitled to any relief.

It was submitted on behalf of the management that it first be decided as a preliminary issue whether the enquiry proceeding held against the concerned workman was fair, proper and in accordance with the principles of natural justice as the concerned workman appears to contest the propriety and fairness of the domestic enquiry held against him. Accordingly the Tribunal first started with the hearing of the preliminary issue whether the domestic enquiry was fair, proper and in accordance with principles of natural justice. The management examined the Personnel Officer Shri B. Ghosh, MW-1 who had held the domestic enquiry into charges against the concerned

workman and the said witness proved all the documents relating to the enquiry proceeding. When the matter came for argument in respect of the preliminary issue, Shri J. P. Singh, Learned Advocate for the workman conceded that he does not object to the fairness and propriety of the domestic enquiry. In view of the fact that the Learned Advocate appearing on behalf of the workmen did not challenge the fairness and propriety of the domestic enquiry, it was held that the domestic enquiry held into the charges against the concerned workman was fair proper and in accordance with the principles of natural justice. The case was thereafter fixed for hearing on merit on the documents which were already on the record in the enquiry proceeding.

The points for decision are whether (1) on the materials placed before the enquiry, the charge against the concerned workman had been established (2) whether the punishment of dismissal is too harsh and not appropriate to the misconduct.

Ext. M-1 is the chargesheet dt. 11-8-85 against the concerned workman. The details of the allegation in the chargesheet have already been stated by me while stating the case of the workman. The chargesheet has been made under clause 19(b) of the Standing Orders of Tisco. The reply of the concerned workman to the chargesheet is on the very page containing the chargesheet against the concerned workman. It will appear from the explanation to the chargesheet that the concerned workman denied to have uttered any uncivilised words to Shri Roy as alleged in the chargesheet. He has also stated that there is no reason as to why he should have behaved with Shri Roy who is so gentle in a rude and violent way. He has further stated that he was neither working in his section nor he had any connection with him. According to the concerned workman the chargesheet was all forged and fabricated. It is the admitted case of the workmen that the concerned workman had participated in the enquiry before the enquiry officer. Ext. M-5 is the enquiry proceeding the first page of which is ordersheet dt. 9-5-85 which shows that the concerned workman was present in the enquiry and did not produce any witness on that day. Ext. M-6 dt. 11-9-85 is the enquiry report in which the enquiry officer has come to a finding that the charge levelled against the concerned workman was fully established. Ext. M-8 is the order of dismissal of the concerned workman with effect from 14-9-85. Ext. M-9 is the letter dt. 13-9-85 issued to the concerned workman giving him notice of dismissal. Ext. M-11 is the copy of the certified standing orders of Tisco and Ext. M-10 is the service card of the concerned workman. The management examined Shri A. K. Roy, Asstt. Mining Engineer, Shri M. Khan, Security Inspector, Shri C. R. Bose, Asstt. Manager, Sijua Colliery and Shri A. K. Choudhury, Asstt. Engineer in Sijua Colliery. The concerned workman did not cross-examine Shri A. K. Roy although he was given full opportunity to do so and the said fact is noted below the statement of Shri A. K. Roy and the concerned workman gave his LTI. It will appear from the evidence of Shri A. K. Roy that on 9-8-85 at about 4 P.M. when he was sitting in front of Sijua Sub-station along with Shri C. R. Bose, Asstt. Manager, A. K. Choudhury Junior Asstt. Engineer and others,

the concerned workman came in a violent mood and started shouting the top of his voice and abused Shri A. K. Roy saying "SALA RAI SAHAB TUMKO HUM DEKH LENGE. TUM APNEKO SAMJHATE KAYA HO. TOMHARI SUB RANGADARI NIKLA DENG" and went on shouting and abusing him for some time. He has further stated that thereafter the concerned workman was taken to the Security Control room. He has stated that after that he left the place and reported the matter to the Manager (OPN). Shri A. K. Roy was not cross-examined by the concerned workman and as such his evidence remained in tact and there appears to be no reason to disbelieve the said witness. Shri A. M. Khan security inspector has stated that on 9-8-85 he was in B shift duty and that at about 4 P.M. when he was sitting in front of his office along with his staff he heard some noise coming from Sijua Sub-station and saw a gathering. He has stated that after sometime some employees of the colliery brought the concerned workman to his office and handed him over to Shri Khan. This witness has further stated that the concerned workman was in a very agitated and violent mood and was abusing Shri A. K. Roy in a very filthy language. This witness along with his staff tried to pacify the concerned workman but even then he continued abusing Shri A. K. Roy. He has stated that when the concerned workman cooled down he allowed the concerned workman to go at about 5.30 P.M. This witness was cross-examined by the concerned workman. The concerned workman asked this witness as to why he did not arrest him when he was handed over to Shri Khan. The witness replied that since the concerned workman had not assaulted any one, the witness did not hand over the concerned workman to the police and that had the concerned workman committed any heinous crime he would have taken legal step but since the concerned workman had only abused, departmental action was enough. The other two witnesses Shri C. R. Bose Asstt. manager and Shri A. K. Choudhury have stated that they were with Shri A. K. Roy at the alleged time and they have fully supported the evidence of Shri A. K. Roy. According to him also the concerned workman came in a violent mood and started shouting threatening and abusing Shri A. K. Roy. They have spoken about the specific abuse which were hurled by the concerned workman to Shri A. K. Roy. The concerned workman did not cross-examine these two witnesses. There does not appear to be any reason to disbelieve the witness examined on behalf of the management. The concerned workman gave him own statement denying that he had abused Shri A. K. Roy. He has also stated that he has no grudge against Shri A. K. Roy and as such there is no question of abusing him. It is clear from the statement of the concerned workman that he had no grudge or dispute with Shri Roy prior to the alleged occurrence and as such there appears to be no reason as to why Shri A. K. Roy would falsely implicate the concerned workman into the alleged charge. Besides that Shri A. K. Roy is supported by two witnesses who were present along with A. K. Roy at the time of the alleged incident. Their evidence is further corroborated by the evidence of Shri Khan before whom the concerned workman was produced and there also the concerned workman was abusing Shri A. K. Roy in presence of Shri Khan.

Taking all the evidence into consideration there appears to be no doubt that the concerned workman came to the sub-station in the premises of Sijua Colliery where Shri A. K. Roy Mining Engineer was sitting along with other officers and started shouting at him in a violent and indecent manner and hurled abuses on him. Thus the charge of the indecent disorderly and riotous behaviour under clause 19(5) of the certified standing orders of the Tisco has been established against the concerned workman.

The next question is whether the punishment of dismissal inflicted on the concerned workman is proportionate to the established charge of misconduct against him. Admittedly the concerned workman had not assaulted or tried to assault Shri A. K. Roy. It appears from the very cross-examination of Shri Khan that the concerned workman had not assaulted any one and had he committed any heinous crime Shri Khan would have taken legal step against him. But since the concerned workman had only abused departmental action was enough. In a departmental action the order of dismissal is the highest punishment which can be inflicted on a workman. As the concerned workman had only shouted abuse in an indecent manner, in my opinion the punishment of dismissal is too harsh and does not appear to be proportionate to the misconduct established against the concerned workman. The concerned workman has been dismissed from service with effect from 14-9-85 and since then he has been idle. In my opinion the non-payment of his wages from the period from his dismissal to the date of reinstatement will be sufficient punishment against the concerned workman which could open his eyes not to behave so in future and also provide livelihood to him and his children.

In the result, I hold that the management was quite justified in coming to a conclusion that the charge against the concerned workman of alleged misconduct has been established but the action of the management of Sijua colliery of M/s. Tisco. In dismissing the concerned workman from service with effect from 14-9-85 is not justified. The management is directed to reinstate the concerned workman with effect from 14-9-85, the date of his dismissal, but the concerned workman will not be entitled to any wages for the period from 14-9-85 to the date of his joining. The management is directed to reinstate the concerned workman within one month from the date of publication of this award. In case the management does not reinstate him within one month of the date of publication of the award the concerned workman will be entitled his wages on completion of one month from date of publication of the award.

This is my award.

I. N. SINHA, Presiding Officer  
[No. L-20012/275/86-D.III(A)]

का० आ० 2391—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टिस्को लिमिटेड के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11 अगस्त, 1987 को प्राप्त हुआ था।

S.O. 2391.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of M/s. TISCO and their workman, which was received by the Central Government on the 11th August, 1987.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 40 of 1981

Employers in relation to the management of M/s. Tata Iron and Steel Co. Ltd., P.O. Jamadoba, Distt. Dhanbad.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri S. S. Mukherjee, Advocate.

For the Workmen : Shri S. Bose, Secretary, Rashtriya Colliery Madoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 31 July, 1987

#### AWARD

The Central Government in the Ministry of Labour has, by Order No. L-20012/177/81-D.III.A, dated, the 10th July, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :—

“Whether the demand of the workmen of the Tata Iron and Steel Co. Ltd., Group of Collieries, P.O. Jamadoba, District Dhanbad, for parity in the wages of Fitters (as per annexure) with their co-shiftmen by restoring to them the advertised scale of wages is justified? If so, to what relief are the workmen concerned entitled and from what date?”

#### ANNEXURE

1. Shri Binoy Kumar Chandra, Elec. Fitter, Sijua Colliery.
2. Shri Nirmal Singh, Elec. Fitter, Sijua Colliery.
3. Shri Rameswar Prasad, Elec. Fitter, Sijua Colliery.
4. Shri Md. Muktar Alam Ansari, Elec. Fitter, Digwadih Colliery.
5. Shri Sahdeo Tundo, Mech. Fitter, Digwadih Colliery.
6. Shri Aktar Hussain Ansari, Elec. Fitter, Digwadih Colliery.
7. Shri N. L. Sinha, Elec. Fitter, Jamadoba Colliery.
8. Shri R. K. Prasad, Elec. Fitter, Jamadoba Colliery.

2. The case of the concerned eight workmen, breft of unnecessary details, is as follows :

The collieries styled Sijua Colliery, Digwadih Colliery and Jamadoba Colliery are under the ownership, management and control of M/s. Tata Iron & Steel Co. Ltd. and have similar service conditions for their employees. The management, by a notice dated 11/12-6-1974 invited applications from the existing employees, their sons and own brothers for employment in the post of electrical/mechanical fitters in the time scale of Rs. 205-7-247-10-337-10-387 and other allowances as per rules. The concerned eight workmen along with many others applied for the post and were selected by Selection Committee of the management. They under-went



training and posted in different collieries of the management. The concerned workmen as well as other workmen thus employed have been performing the same and similar duties independently during the respective shifts in the collieries concerned. In view of the notice of employment mentioned above and of the job performed by the respective workmen the concerned workmen are entitled to receive wages in the same grade of time scale or its equivalent according to revised pay scale in the industry. But the management, instead of paying the concerned workmen the same scale of pay in terms of notice of employment and subsequent allotment of duties to each one of them, have placed them in different scale of pay; the management have been paying the concerned workmen less wages in the rate of Category IV time scale and paying five others more wages in the rate of Categories V and VI combined rate of wages. The management have not stated any reason why such discriminations have been made and why lower rate of wages are being paid to the concerned workmen though they have been performing the same and similar duties involving similar responsibilities and hazards in the mine. It has been submitted that the action of the management is not justified and that the action of the management is illegal and arbitrary. The concerned workmen are the permanent employees of the different collieries of the management; they raised this issue before the management at various levels through their Trade Union but to no effect. Having failed to receive justice in the hands of the management the union of the workmen, by letter dated 14-7-1980, represented the dispute before the Asstt. Labour Commissioner (C), Dhanbad, who took up the matter with the parties and held conciliation proceeding which ended in failure due to adamant attitude of the management. The conciliation proceeding having failed the Asstt. Labour Commissioner (C), Dhanbad, submitted his report of failure of conciliation and hence this reference for adjudication by this Tribunal has arisen. The management pronounced the rate of wages payable to the workmen for job advertised by them and the concerned workmen had applied on that basis. They were duly selected by the management who put them on further training which was also completed by them and thereafter they were posted in different collieries of the management. The concerned eight workmen and other five workmen are performing the same and similar duties in different shifts in different collieries with independent charge during the shift. In the context of aforesaid facts and circumstances all the workmen are to be treated equally in respect of fixation of grade of time scale of pay and any departure tantamounts to denial of justice and reasonable wages to the workmen. Justice demand equal pay for equal job unless there are any special circumstances, but such circumstances are absolutely absent in the instant case. In the circumstances the concerned workmen have prayed that their demand for parity of wages for the post of fitters with their co-shiftmen is justified and that they should be paid wages in the scale of advertised rate from the date of their employment in the collieries and for costs of the proceeding.

3. The management has contested the reference by filing written statement. The case of the management, regardless of unnecessary details, is as follows:

The management has a scheme for training persons at its Technical Institute at Jamshedpur for different trades. Earlier these trainees were called Artisan Trainees. From 1978 this scheme has been changed and the trainees are called 'Trade Apprentice'. Selection of Artisan Trainees were made from amongst the dependants of the employees who were matriculates and between 16 to 19 years of age. The training was for a duration of two years at Jamshedpur Technical Institute. The trainees were trained for different trades, namely, electrical, mechanical, plumbing, machinist etc. On completion of two years of training an examination used to be conducted and the successful candidates were appointed in the capacity of fitters in the respective trades in which they received training and were placed in monthly grade of Category V and VI combined which was equivalent to daily rated. The scheme for training of Artisan Trainee was abandoned sometime in 1978 and a separate scheme for Trade Apprenticeship was started in its place. The duration of training of Trade Apprenticeship has been for a period of three years, and after completion of the training an examination is conducted and successful candidates are taken in their respective trades in which they have received training. The grades of pay on appointment, however, has remained the same as in the case of

Artisan Trainee. Sometime in the year 1974 the management foresaw the requirement of more fitters in view of proposed mechanisation of some of their collieries. Under exigencies of circumstances the management decided to recruit fitters directly from amongst such dependants of the employees who were matriculates and had possessed I.T.I. Certificates in the trade. An interview was conducted for selection; the concerned workmen along with others appeared at the interview, but none of the candidates was found suitable for the post of fitters. It was decided to select the best fifteen of them and to put them to six months training on the job as fitter trainee on condition that if they were not found suitable after training for six months, their training period would be extended for another three months. But their training would be terminated if they were not found suitable for the post of fitters even thereafter. On completion of initial training for six months at the colliery and further extension of three months training it was found that the trainees had not acquired the skill and efficiency of a fitter in Category V and VI combined grade which were offered to those who had two years training at the Technical Institute at Jamshedpur. But since they were dependants of employees, the management decided to absorb these trainees as Fitters in Category IV daily rated in terms of Coal Wage Board Recommendation, 1967 instead of terminating their services as Fitter Trainee. Fitters having six months training at the colliery were placed in Category IV with a view that these persons could acquire the proficiency and skill of a Fitter Category V and VI combined and they would be considered for promotion to the said post after they had passed the necessary trade test. In the Union Management meeting held on 27th October, 1976 with the recognised union, namely, Rashtriya Colliery Mazdoor Sangh it was decided that the trade test would be held with regard to the fitters of Category IV. Accordingly a trade test was held in the month of March, 1977 in presence of the representative of Technical Institute, Jamshedpur. In this trade test all the fifteen Category IV fitters including the concerned workmen appeared and out of them six passed in the trade test and accordingly these six were promoted to the post of fitters in the monthly grade of Category V and VI combined. Since nine others including the eight concerned workmen could not pass the trade test, they were retained in Category IV. The recognised union again took up the cause of nine fitters including the concerned eight workmen and the management agreed to hold another trade test for them. Accordingly, a trade test was again arranged in the Central Workshop of the management on 17-8-1978. A representative from Technical Institute, Jamshedpur, also attended to hold the trade test. Although the concerned fitters reported at the Central Workshop, they did not appear at the trade test organised for them and left the premises of the Central Workshop. As a result, the trade test could not be conducted. The matter was also broached in the Union-Management meeting held on 17-8-1978 when the recognised union requested the management to arrange another trade test. It was given to understand by the union that it would impress upon the concerned fitters to appear at the said trade test. The management acceded the request of the union and again organised a trade test for the nine fitters including the concerned workmen on 19-8-1978 and the representative of the Jamshedpur Technical Institute was requested to stay back at Jamadoba for conducting the trade test. In the trade test fixed on 19-8-1978 out of nine fitters only A. K. Verma appeared; he passed the trade test and was promoted to the post of fitter in the monthly grade of Category V and VI combined. The concerned eight fitters did not appear in the said trade test. At the request of the recognised union in the Union-Management meeting held on 17-1-1980 the management again agreed to arrange the trade test for the concerned eight fitters. Accordingly a trade test was arranged on 6-10-1980 at the Training Centre, Jamadoba and the concerned eight fitters were advised to appear at the trade test by a letter dated 29-9-1980. This time also the concerned workmen did not appear in the trade test. The concerned fitters after having failed in the first trade test held in March, 1977 did not appear in any subsequent trade tests arranged, although opportunities were given to them. They did not acquire the same skill and proficiency required for Fitters Category V and VI combined. It has been contended that mere rotation of shifts by the concerned workmen is not testimony of same degree of skill and proficiency as possessed by fitters of Category V and VI combined. Asses-

sment of skill and efficiency of a fitter for promotion to higher category is the function of the management. The concerned eight fitters having six months training in the collieries can not be compared with the skill and efficiency of Fitters who passed the examination after having two years training at the Technical Institute, Jamshedpur. The management had always acted bona fides and acceded to the request of the recognised union by giving repeated chance to the concerned workman to appear in the trade test after they have failed once. But they were not apparently interested in availing themselves of the opportunities provided by the management for proving their merits in the trade test. In view of these facts and circumstances it is submitted by the management that the demand of the concerned workman for parity of wages with other fitters is not justified and they are not entitled to any relief.

In the rejoinder to the written statement of the workmen the management has further stated that the concerned workmen along with others were selected and put on training in different collieries initially for a period of six months and when they were not found suitable the training period was extended for another three months. Even after the expiry of this period it was found that the concerned workmen along with others had not acquired the skill and efficiency of fitters in Category V and VI combined. The concerned eight workmen have not the same skill and proficiency of their co-shift Jamshedpur trained fitters who have been placed in Category V and VI combined. The concerned workmen have been rightly placed in Category IV time scale and they are not entitled to be promoted to the Category V and VI combined. None of the concerned workmen along with some others who applied in pursuance of the notice were found suitable for the post of fitters. The claim of the concerned workmen for parity in wages with other fitters possessing higher skill and efficiency is not justified and hence they are not entitled to any relief in this reference.

4. The concerned eight workmen have examined three of them, namely, WW-1, Binov Kumar Chandra, WW-2, Md. Muktar Alam Ansari and WW-3, R. K. Prasad. On the other hand, the management has examined only one witness and he is MW-1, N. K. Choudhury, Manager, Engineering, Tata-Sijua groups of collieries. The workmen concerned have produced employment notice dated 11/13-6-1974, original letter of appointment dated 3/5-9-1974 issued to Sri Binov Kumar Choudhury, one of the concerned workmen and subsequent letter of appointment dated 29-9-75/3-10-75 issued to the aforesaid workman which have been marked as Exts. W-1, W-2 and W-3 respectively. The management has produced a mass of documents including minutes of Union-Management meeting held on 27-10-76, 17-8-1978 and 17-1-1980 which have been marked as Exts. M-1 to M-3 respectively and office copies of letters dated 29-9-80, 26-12-77/2-1-78 and 14-1-78 which have been marked as Exts. M-4, M-5 and M-6 respectively.

5. It is the non-contentious position that all the collieries, namely, Sijua Colliery, Digwadih Colliery and Jamadoba Colliery are under the ownership, management and control of M/s. Tata Iron and Steel Co. Ltd. and that similar service condition with regard to the employees govern the employees of the aforesaid three collieries.

6. The concerned workmen have been working as fitters in Category IV, some in Sijua Colliery, some in Digwadih Colliery and some in Jamadoba Colliery. All the three witnesses are some of the concerned workman, one working in Sijua Colliery, another in Digwadih Colliery and the other in Jamadoba Colliery. All of them have been working as electrical fitters. There is no dispute that all the concerned workmen are members of Rashtriya Colliery Mazdoor Sangh, a trade union, and that they have raised the present dispute through their union. The dispute is whether the demand of the concerned workmen of M/s. Tata Iron & Steel Co. Ltd. group of collieries, P.O. Jamadoba, Dist. Dhanbad, for parity in wages of fitters (as per annexure) with their co-shiftmen by restoring them to the advertised scale of wages is justified or not. In order to answer the claim the management has dwelt at length in its written statement the claim for training of persons for different trades in its organisation.

7. The management has stated in its written statement

that it has a scheme for training persons for different trades at its Technical Institute at Jamshedpur and that these trainees were formally called Artisan Trainees. It has been stated that selection of these Artisan Trainees were made from amongst the dependants of the employees who are matriculates and between 16 to 19 years of age and that the training was for a duration of two years at Jamshedpur Technical Institute, and that the trainees were trained for different trades, namely, electrical, mechanical, plumbing, machinist etc. On completion of two years of training an examination used to be conducted and successful candidates were appointed in the capacity of fitters in the respective trades in which they received training and were placed in monthly grade of Category V and VI combined which was equivalent to daily rated. It has also been stated that this scheme for training of Artisan Trainee was abandoned sometime in 1978 and a separate scheme for Trade Apprenticeship was started in its place and that duration of training of Trade Apprentice has been for a period of three years and after completion of their training an examination is conducted and successful candidates are taken in respective trades in which they have received training and that the grades of pay on appointment, however, has remained the same as in the case of Artisan Trainee. These statements of the management have not been challenged by the concerned workmen either by way of rejoinder to the written statement of the management or in their evidence at the time of hearing. Besides the management has produced correspondence dated 26-12-77/2-1-78 and 14-1-78 (Exts. M-5 and M-6) respectively wherefrom it appears that the scheme for Artisan Training was abolished and a separate scheme for Trade Apprenticeship was introduced in conformance to Apprenticeship Act in terms of which the apprentices were required to undergo training for a period of three years as against two years period as obtained earlier. That being so, I come to the conclusion that the scheme of the management for training Artisan Training was abandoned in 1978 and a separate scheme for Trade Apprenticeship was re-placed in its place.

8. It is the case of the management that sometime in the year 1974 the management foresaw the requirement of more fitters in view of proposed mechanisation of some of their collieries and under exigencies of circumstances the management decided to recruit fitters directly from amongst such dependants of the employees who were matriculates and had possessed I.T.I. Certificates in the grade. The concerned workmen have not assailed this statement but from the Employment Notice dated 11/13-6-74 (Ext. W-1) it appears that the candidates applying for the post of Electrical/Mechanical Fitters must have passed I.T.I. trade from some recognised Industrial Institutes and should have fair knowledge in repairs and maintenance of Electrical/Mechanical machineries. Thus the claim of the management that the candidates for appointment must have passed matriculation examination has no basis at all. It is the admitted position that an interview was conducted for selection and that the concerned workmen along with others appeared in the interview. It is the case of the management that since none of the candidate were found suitable for the post of fitter it was decided to select the best fifteen and put them six months training on job as fitter training on condition that if they were not found suitable after six months, their training period would be extended for another three months but in the event of their not being found suitable for the post of fitters thereafter, the training would be terminated. The case of the concerned workman is that the management by a notice dated 11/18-6-78, invited applications from the existing employees, their sons and own brothers for employment in the post Electrical/Mechanical fitters in the time scale of Rs. 205-7-247-10-337-10-387 plus allowances as per rules and that the concerned eight workmen along with others applied for the posts and were selected by the Selection Committee of the management. There is no dispute that the management issued Employment Notice dated 11/13/18-6-1974 inviting applications for 205-7-247-10-337-10-387 plus other allowances as per rules from the existing employees, their sons and own brothers (Ext. W-1). It is claimed by the management that none of the persons including the concerned workmen who appeared at the interview were found suitable for the post of fitters and that the management decided to select the best 15 of them, the pick of the bunch as fitter trainees on condition as stated herein below. But the concerned workmen have



stated in their written statement that they were selected by the Selection Committee of the management for the post of fitters in the scale of Rs. 205-7-247-10-337-10-387. It transpires from the statements for the concerned workmen that only twelve persons including them were selected. But that is not their case in the written statement nor have they produced any evidence in support of their claim except in their oral testimony which is nothing but their ipse dixit. On the other hand, it is the definite case of the management in its written statement that only the best fifteen of the persons including the concerned workmen who appeared at the interview were selected by the Selection Committee. This statement of the management has not been denied by the concerned workmen by way of rejoinder to the written statement of the management.

9. The concerned workmen has claimed that they were selected for the post of fitters in the Grade of scale of Rs. 205-7-247-10-337-10-387 plus other allowances as per rules, in the interview. On the other hand the management has contended that they were not found suitable for the post of fitters and so they were not appointed as such. The concerned workmen have produced appointment letter dated 3/5-9-1974 issued in favour of Binoy Kumar Chandra, one of the concerned workmen (Ext. W-2). Although the other two witnesses for the workmen have stated that they got letters of appointment but the same have not been produced before this Tribunal. The relevant portion of the letter of appointment (Ext. W-2) runs as follows :

"With reference to your application and subsequent interview at this office on 9-8-74, you are hereby appointed as a Trainee for a period of six months. During this period you will be given training to equip yourself to work as fitter.

2. A test will be taken of you after the training to find out your standard to work as fitter. If you are found fit to work as Fitter, you will be appointed as such. In case you are not found suitable, you will be given another chance of 3 (three) months, after which again a test will be taken for the purpose. If you are not found suitable even after the second chance, your training will be terminated. You will be paid a consolidate stipend of Rs. 95/- per month."

This from the letter of appointment it is obvious that the concerned workmen and others were appointed Trainees for a period of six months on a consolidated stipend of Rs. 95/- per month and that in case they were not found suitable they would be given another chance of three months after which a test will be taken for ascertaining their competency. Hence the claim of the workmen that they were selected and appointed fitters in the grade of Rs. 205-7-247-10-337-10-387 has got no basis at all.

10. It is the case of the management that on completion of training for six months at the colliery and further extension of three months' training it was found that the trainees had not acquired skill and proficiency of a fitter in Category V and VI combined grade which were offered to those who had two years training at the Technical Institute at Jamshedpur and that since the concerned workmen and others were dependants of employees the management decided to absorb these trainees as fitters in Category IV daily-rated, in terms of Coal Wage Board Recommendations 1967 instead of terminating their services as fitter trainees. This fact is supported by the letter of appointment dated 29-9-75/3-10-75 issued to Binoy Kumar Chandra, one of the concerned workmen (Ext. W-3). It appears that the concerned workmen and others represented their case through their union. As a result a meeting of the Union-management was held on 27-10-76 in which it was decided that trade test will be held with regard to the fitters of Category IV. This position is buttressed by the minute of the Union-Management meeting held on 27-10-76 (Ext. M-1). It is the further case of the management that in terms of decision of Union-Management a trade test was held in the month of March, 1977 and that all the fifteen Category IV fitters including the concerned workmen appeared and that six out of them passed trade test and these six persons were promoted to the post of fitters in the monthly grade of Category V and VI combined and that since nine others including the concerned workmen could not pass the trade test, they were retained

in Category IV. This fact has been neither assailed by the concerned workmen nor disproved by them. The further case of the management that the recognised union took up the cause of fitters including the concerned eight workmen and the management agreed to hold another test for them and that a trade test was again arranged on 17-8-78 but none of them reported for interview and as a result the trade test could not be conducted. This is evident from the minute of Union-Management meeting held on 17-8-78 (Ext. M-2). At the request of the union the management agreed to hold a trade test for the nine fitters including the concerned workmen on 19-8-78. This also evidenced from the minutes of Union-Management meeting held on 17-8-78. It is the case of the management that in the trade test fixed on 19-8-78 only A. K. Verma, out of the nine fitters, appeared and passed and that he was promoted to the post of fitter in the monthly grade of Category V and VI combined and the concerned eight fitters did not appear in the said trade test. This is evident from the minutes of the Union-Management meeting held on 17-1-80 (Ext. M-3). The case of the management is that again at the request of the recognised union in the Union-Management meeting held on 17-1-80 the management agreed to arrange trade test for the concerned workman and accordingly a trade test was arranged on 6-10-80 at the Training Centre, Jamadoba and that the concerned workmen did not appear in the trade test in spite of the fact that they were advised to appear at the said trade test by letter dated 29-9-80. This position is also evidenced from the Union-Management meeting held on 17-10-80 (Ext. M-3) and the letter of the management dated 29-9-80 (Ext. M-4). There is no dispute that the concerned workmen did not appear in the said trade test. Thus from the evidence on record it is abundantly clear that the concerned workmen who were appointed fitters and placed in Category IV did never qualify themselves for promotion to the post of fitters in the category of V and VI combined by appearing successfully at the interview. Hence I come to the inescapable conclusion that the concerned workmen were never appointed Fitters in Category V and VI combined in the Grade of Rs. 205-7-247-10-337-10-387 plus other allowances nor have they qualified themselves for the post of fitters in the Category V and VI grade combined after completion of their training and interview.

11. It has been claimed by the concerned workmen that they have been doing the job of fitters in Category V and VI combined. They have not spelled out in the written statement what are the specifications of jobs of fitters of Category V and VI combined. On the other hand, the management has taken the position that the concerned workmen have not acquired the skill and proficiency of fitters of Category V and VI combined. The witnesses for the concerned workmen have stated that they have been independently working in their respective shifts. Of course this has been challenged by the management. Even so, they are working independently in respect of jobs fixed for fitters of Category IV and not fitters of Category V and VI combined. As a matter of fact MW-1, N. K. Choudhury, now working as Manager, Engineering, Tata Sijua group of collieries, has stated that he is aware of the duties performed by the fitters of Category V and VI combined both mechanical and electrical and according to him the duties of the fitters in the aforesaid categories are as follows :

Maintenance of electrical apparatus, cables, overhead lines, switch gear transformers, shifting installation etc. and that fitters, both electrical and mechanical of Category IV have not the same scale as fitters both electrical and mechanical of Category V and VI combined. This statement of witness has not been assailed by the concerned workmen in cross-examination. That being so I come to the conclusion that maintenance of electrical apparatus, cables, overhead lines, switch gear transformers, shifting installation etc. are the duties of Fitters (Electrical) of Category V and VI combined and that fitters both electrical and mechanical of Category IV have not the same scale as fitters, both electrical and mechanical of Category V and VI combined. The concerned workmen have not laid

any evidence to prove that they have been doing the duties of Fitters (Electrical) of Category V and VI combined as spelled out by MW-1. N. K. Choudhury. That being so, I hold that the principles of parity of wages as envisaged in Equal Remuneration Act, 1976 have got no manner of application in the context of the facts, circumstances, and evidence on record in the present case.

12. The conclusion is reached that the demand of the concerned workmen for parity in the wages of fitters with their co-shiftmen by restoring to them the advertised scale of wages is not justified and that the concerned workmen are not entitled to get any relief in the present reference.

13. Accordingly an award is passed.

14. In the circumstances of the case parties are to bear their own costs.

S. K. MITRA, Presiding Officer  
[No. L-20012/177/81-D. III(A)]  
P. V. SREEDHARAN, Desk Officer

नई दिल्ली, 24 अगस्त, 1987

का.प्रा. 2392 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओरियन्टल बैंक ऑफ कॉमर्स के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-87 को प्राप्त हुआ था।

New Delhi, the 24th August, 1987

S.O. 2392.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the Oriental Bank of Commerce and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
NEW DELHI

I.D. No. 35/86

In the matter of dispute between :

Shri Uma Kant Pandey, House No. X/5444, Gali No. 5, Raghupurpura No. 2, Gandhinagar, Delhi-31.

Versus

The Management of Oriental Bank of Commerce through their General Manager, Head Office, Harsha Bhawan, E-Block, C. Circus, New Delhi.

APPEARANCES :

Shri Tara Chand Gupta—for the workman.

Shri J. R. Dass—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-12012/33/85-D.IV(A) dated 12-2-86 has referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the management of Oriental Bank of Commerce, New Delhi in terminating the services of Shri Uma Kant Pandey, Sub-staff from 1-6-1983 is justified? If not, to what relief the workman is entitled?"

2. The workman in his statement of claim stated that he remained in the temporary employment of the Oriental Bank of Commerce, New Delhi (hereinafter referred to as the Bank) for a total period of 88 days from 2-2-83 to 31-5-1983 whereafter his services were terminated without any notice. He has alleged violation of section 25-G and H of the I.D. Act (hereinafter referred to as the Act) as persons junior to him were retained in service and fresh appointments were also made without making any offer to him. He has also alleged violation of paras 422(5) of the Shastri Award as no written order of termination of his service were given to him and also para 522(4) as no 14 days notice was given to him before termination of the services. He has also alleged violation of clause 20.12 of the Bipartite Settlement dated 19-10-1966 in as much as while filling permanent vacancy of Peon-cum-Waterman the Bank failed to give him preference. The contention of the bank that employments were to be made from amongst the panels sponsored by the respective employment exchanges for permanent absorption in subordinate cadre also holds no ground since he too was duly registered with the Employment Exchange. In the light of these submissions the workman prayed for reinstatement with full back wages and continuity of service and to be treated on permanent subordinate staff of the Bank from such date on which any person who joined service of the bank later than him was taken up on permanent staff.

3. The Bank denied that there was any violation of the provisions of Section 25-G and 25-H of the I.D. Act as the workman had not completed 240 days of service and he was not covered by the definition of retrenchment and hence the provisions of Chapter VA of the Act were not applicable to him. Similarly it denied violation of any provision of the Shastri Award or the Bipartite Settlement. It was further submitted that the workman was appointed temporary peon-cum-waterman for a specified total period of 88 days to work in a leave arrangement and he ceased to be in employment by efflux of time. The Bank submitted that some fresh appointments were made purely on temporary basis as per demand of the Bank but the temporary post was not offered to the workman as he had also worked for a period as provided in the policy of the bank contained in its circular No. PER/321938 dated 8th November, 1980. Permanent appointments were made out of the candidates sponsored by the respective Employment Exchanges and since the name of the workman was not recommended by any Employment Exchange he was not considered for permanent absorption.

4. I have given my anxious consideration to the entire facts and circumstances of this case, the submissions made by Id. representatives of the parties and the authorities relied upon by them, as also the evidence placed on record and I am of the opinion that the workman has got no case for reinstatement. Admittedly the workman has worked only for 88 days and, therefore, has not completed one year continuous service as defined in section 25-B of the Act and consequently the protection of section 25-F of the Act is not available to him. No doubt any termination amounts to retrenchment but the provision of section 25-G and H are not mandatory and are subject to just exceptions. Similarly the provisions of paras 405 522(4) and 522(5) of the Shastri Award as also clause 20.12 of the Bipartite Settlement are directory in nature and their violation would not render any service illegal order as illegal. For the violation of para 422(4) of the Shastri Award the maximum that the workman can claim is wages for 14 days in lieu of notice prescribed therein. The recruitment of the workman on temporary basis is covered by the policy of the Bank as contained in circular No. PER/321938 dated 8-11-1980 which for facility of reference is reproduced below :

ORIENTAL BANK OF COMMERCE  
(A Government of India Undertaking)

Head Office :

Harsha Bhawan,  
F-Block, Connaught Place,  
Post Box No. 329,  
New Delhi-110001.

No. PER/321938

November 8, 1980.

## ALL REGIONAL HEADS.

Dear Sir,

## Temporary Employment

It has been decided that duration of temporary employment of the persons in the Bank who are engaged to work in leave arrangement or otherwise in workmen cadre should not exceed 89 days as against 60 days at present with usual break of five days after two months of service. It should be ensured that in no case any person is allowed to work beyond the prescribed period as above. As far as possible, temporary appointments have to be avoided and in no case such appointments should be allowed in casual leave arrangement. No temporary appointment should, however, be made without your approval in advance in case of appointment in clerical cadre. In case of temporary appointment in subordinate cadre also no appointment should be made without your approval/confirmation.

2. Further the requisition of candidates for temporary appointments in clerical cadre should be made from the respective Banking Service Recruitment Boards. If Banking Service Recruitment Board is not a position to provide approved persons, the candidates should be requisitioned from the Local Employment Exchange. If the Boards, as well as the Employment Exchanges, wherever these exist, are not able to provide the candidates, the branches may be allowed to make their own arrangements strictly according to the norms.

Similarly for temporary appointments in subordinate cadre the candidates should be called from the Local Employment Exchange. In case the concerned Employment Exchange sends a certificate that the candidates are not available or there is no Employment Exchange at a particular place that branches may local arrangement, keeping all the relevant factors in view.

We may also inform that vacancies in leave arrangement of 45 days or over are subject to reservation for Scheduled Caste/Schedule Tribe candidates i.e. 15 percent for Scheduled Caste and 7-1/2 for Scheduled Tribes and this factor should also be kept in view at all times.

3. It has also been decided that the norms for recruitment in the Bank in Subordinate Cadre, whether temporary or regular should be as under :—

(i) Age : Between 18 to 25 years (Relaxable by 5 Years for SC/ST candidates).

(ii) Qualifications.—VIII Class pass but should be under matric.

The candidates in clerical cadre with educational qualification as Graduate may be considered for appointment keeping the norms for age same as at (i) above.

Please acknowledge receipt.

Yours faithfully

Sd/-

Joint General Manager."

5. The policy of the Bank endeavour to give change of appointment in sub-ordinate cadre to all equally by calling for names of candidates from the local Employment Exchange. Admittedly the workman was not sponsored by the Employment Exchange and other citizens of India had no chance in seeking employment which the workman has claimed on regular basis. The Bank being a "State" as per the provisions of Article 12 of the Constitution of India, has to ensure the equality of opportunity to all the citizens. If the Bank is allowed to make regular appointments without notifying them to the Employment Exchanges there would be violation of Article 12 and 16 of the Constitution of India. The policy and the guidelines regarding making regular appointment through the Employment Exchange is not only valid but is more equitable and meets the test of due process by getting the candidates sponsored from the Employment Exchange, not only the

arbitrariness or the likely arbitrariness would be avoided but also equal opportunity would be afforded to all Citizens who are equally placed. Under these circumstances, no fault can be found with the action of the Management and it is held that the workman is not entitled to the relief of reinstatement in service. It may further be observed that the facts of this case are similar to another case between Shri Suhash Chand Vs. Oriental Bank of Commerce, New Delhi I.D. No. 189/83 decided by my predecessor Shri O. P. Singla wherein the contention of the Bank was upheld. I do not see any reason to differ with the view taken by my predecessor.

6. However, para 522(4) of the Shastri Award lays down that services of any employee other than a permanent employee or probationer may be terminated and he may leave services after 14 days' notice. If such an employee leave service without giving such notice he shall be liable for a week's pay including all allowances. It is not disputed by the Bank that no such notice of 14 days' was given to this workman. Therefore, the workman is entitled to wages in lieu of notice of 14 days'. It is clear from the appointment letter dated 1-2-83 placed on record that the total wages of the workman were Rs. 631.27 P. P.M. However, taking into consideration the lapse of time and the cost of the proceedings it is directed that the workman may be paid a lump sum compensation of Rs. 500. This reference stands disposed of accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Govt. for necessary action at their end.

29th July, 1987.

G. S. KALRA, Presiding Officer  
[No. L-12012/33/85-D.II(A)]

का.आ. 2393 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-87 को प्राप्त हुआ था।

S.O. 2393.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW  
DELHI

I.D. No. 2/84

In the matter of dispute between :

Shri Maya Ram Singhal,  
Through The General Secretary,  
The State Bank of India Staff Association,  
2124/2, Hari Singh Nalwa Street,  
Karol Bagh, New Delhi.

Versus

The Chief General Manager,  
State Bank of India,  
Parliament Street,  
New Delhi.

## APPEARANCES :

Shri P. N. Gupta—for the workman.

Shri B. K. Chaudhry—for the Management.

## AWARD

The Central Government in the Ministry of Labour vide its notification No. L-12012/172/83-D. 11(A) dated 28-12-1983 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Management of State Bank of India, New Delhi in relation to their Chandni Chowk Branch, Delhi, in not correcting the date of birth of Shri Maya Ram Singhal, Head Clerk, as per High School Certificate and retiring him from the service of the Bank on the basis of date of birth (21-8-1922) tendered by him during initial appointment is justified? If not, to what relief is the workman concerned entitled?"

2. Some of the undisputed facts are that the workman Shri Maya Ram Singhal joined the service of the respondent State Bank of India, which was formerly known as The Imperial Bank of India (hereinafter referred to as the Bank) on 21-7-1942. At the time of his entry in the service of the bank he had given his date of birth as 21-8-1922 which is so recorded in his service book. He gave his date of birth as 22-8-1922 while submitting form Ex. M-1 for admission to the Bank's Employees Provident Fund and the form Ex. M-2 for admission to the Bank's Employees Pension and Gratuity Fund. The workman made a representation dated 17-9-59 for correction of his date of birth to 21-8-1925 as given in the matriculation certificate (Annexure W) to the Statement of claim and the Bank vide its memorandum dated 30-10-59 Ex. M-3 declined it with the following remarks :

"With reference to his application dated the 17th September, 1959 Head Office have pointed out that Shri Maya Ram Singhal, according to his date of birth as given in his Matriculation Certificate, viz. 21st August, 1925 would have been 18 years of age at the time he was admitted to the membership of the Imperial Bank of India and Employees Pension Fund; this position is evidently irregular as no employee is admitted to the membership of the said fund until he has attained the age of 21 years.

In the circumstances, Head Office are not prepared to accept any alternation in Shri Singhal's date of birth viz. 22nd August, 1922 as given by him at the time of his appointment in the Bank, at this stage."

Thereafter the workman made a representation again on 27-10-77 for correction of his date of birth on the basis of the Matriculation Certificate and offered that in case the Bank felt that he was not eligible for the Employees Provident Fund and the Employees Pension and Gratuity Fund at the relevant time, he was ready to forego the benefits which accrued to him as a result of becoming the member of the said Funds at the age of 18 years. The Bank vide its letter dated 25-1-78 asked the workman to furnish the High School Certificate in original for onward submission to the Head Office for necessary action. Ultimately the representation of the workman was rejected vide the bank's letter dated 5-7-78. The workman kept on making further representations but the same were rejected from time to time. Ultimately the workman was retired from service w.e.f. 21-8-82 on the basis of his date of birth as 21-8-1922 on attaining the age of superannuation and also having been granted extension in service for two years.

3. The case of the workman is that he had given his date of birth as 21-8-1922 at the time of entry into service by inadvertence and not to derive any advantage and that the date of birth, if either wrongly given by the employee or wrongly recorded by the employer, is always subject to correction. The workman has also alleged that he had been victim of hostile discrimination at the hands of the Bank in as much as the Bank had corrected the dates of birth of S/Shri P. C. Jain, Bhagwan Singh and Hardit Singh whereas his representations to correct his date of birth were turned down without justification and unreasonably. It is the further case of the workman that an employee has a vested right to work till the age of his superannuation under the rules which in no case can be denied by an Executive fiat.

4. The case of the Management is that the wrong date of birth at the time of entry was given not by inadvertence

but in order to derive advantage of entry into service before attaining the age of majority and also admission to the Employees Provident Fund and Employees Pension and Gratuity Fund before completing the age of 21 years. The Bank justified its action in refusing the change of the date of birth on the basis of the High School Certificate Annexure 'W' to the claim statement and pleaded estoppel as the workman's representation had been considered and the same was rejected vide letter dated 30-10-59 Ex. M-3 and the workman had accepted the same and did not challenge it before any court or authority. It is the further case of the Bank that the fact that the Bank had acceded to the request of some of its employees for changing date of birth would not entitle the workman for the same simply at his asking. More specifically, it was pleaded that the cases of S/Shri Hardit Singh, P. C. Jain and Bhagwan Singh have no relevancy to the present case and that the cases of Hardit Singh and Bhagwan Singh were different on facts and had extraordinary special features warranting an exception to the general rule that a change in the date of birth of an employee is not permitted after it has once been recorded in the service record and that in the case of P. C. Jain the Bank representative had unauthorisedly made a statement before the Conciliation Officer at Agra and the Bank out of deference to an undertaking before a court, honoured the same, though it could have avoided the same being not made by competent person. The Bank denied that the workman is entitled to get the date of his birth corrected and that the workman has been deprived of any legal right to continue in service till 20-8-1985 as he had no right to continue in service beyond 21-8-1982.

5. At the outset it may be noted that the Bank has not disputed the genuineness of the High School Certificate Annexure 'W' to the statement of claim or even the date of birth 21st August, 1925 as mentioned in the said Certificate. In other words the Bank's contention is that although the actual date of birth of the workman is 21st August, 1925 it must be taken as 21st August, 1922 since the workman had mentioned his date of birth as 21st August, 1922 at the time of entry into service or 22nd August, 1922 at the time of filling up the forms Ex. M-1 and M-2 pertaining to the admission to the Employees Provident Fund and Employees Pension and Gratuity Fund. This stand of the Management is clearly irrational and totally unjustified because an employee has got vested right to continue in service till the age of his superannuation. In the authority cited as Manak Chand Vaidya Vs. State of Himachal Pradesh and others 1976 (1) S.L.R. 402 Himachal Pradesh High Court it was held as under :

"B. Constitution of India, Articles 162 and 311—General Financial Rules, 1963—Date of birth—Correction of within limitation prescribed under Financial Rules (Executive Instructions)—Held that right to get erroneous entry as to date of birth corrected cannot be curtailed by executive instructions.

A government servant is entitled to show that the entry made in his service record does not represent his true date of birth. That is a right which flows from his right to continue in service until he reaches the age of superannuation. He is entitled to show that the recorded entry, which determines the date on which he attains the age of superannuation, does not reflect the true position and that on its misleading basis he is liable to be retired before he in fact attains the age of superannuation. Shortly put the erroneous entry will abridge the period during which he is entitled to continue in service. Therefore, involved in his right to continue in service is his right to show that the recorded entry of his date of birth is erroneous. If on application made by the Government servant, the Government finds that there is substance in the claim it is bound to give effect to the claim and alter the relevant entry in the service record. If the entry is found to be erroneous it must in all fairness to the Government servant, be corrected. When such application should be entertained is a matter relating to procedure. A provision determining when the application should be entertained has the effect of limiting the exercise of the right of the Government servant to show that the recorded entry is erroneous. Such limit can be imposed only by a provision having the force of law. If it does not have the force of law and is merely an executive direction without sanction of law, it cannot affect the exercise of the Government servant's right to show that the recorded entry is erroneous. Now, the Government

of India decision, on which the respondents rely, does not have the status of a statutory rule and, therefore, cannot defeat the legal right of the Government servant mentioned above. So far as it affects the determination of the true date of birth it must be considered *ultra vires* for the reasons set out above.

Constitution of India, Article 311—Evidence Act, Section 115—Estoppel—No estoppel in moving for correction of erroneous date of birth.

Constitution of India, Article 162 and 311—Date of birth—Correction of—Matriculation Certificate—Duty of Government to consider—Failure to consider will vitiate the proceedings.”

Similarly in the authority cited as Brigadier Prithvi Raj Vs. Union of India and another 1987 Lab. I.C. 6, Punjab and Haryana High Court, it was held as under :

“Constitution of India, Art. 226—Correction of date of birth in service record—Administrative Instructions cannot take away vested right of employee to have his date of birth corrected in accordance with what was actually found and which was on verification incorporated in matriculation certificate—Employee held, entitled to the benefits on the basis of his merits and seniority in service after correction in date of birth.”

Yet in another authority *Pramatha Nath Choudhury Vs. State of West Bengal and others* 1981(1) SLR 570 Calcutta High Court, it was held as under :

“Constitution of India, Articles 226 and 311—Date of birth/Compulsory retirement—Date of birth entered in the Matriculation certificate—To be accepted as correct—Appellant can be superannuated only on the basis of date of birth entered in the Matriculation Certificate.”

6. The Management has created some confusion about the date of birth as entered in the service book of the workman. While the workman has claimed that he had mentioned the date of birth as 21st August, 1922, the Management in its written statement stated that the date mentioned in the service book is 22nd August, 1922 i.e. the same date as mentioned in the forms Ex. M-1 and M-2 pertaining to Employees Provident Fund and Employees Pension and Gratuity Fund. In all fairness, when there was a dispute about the date recorded in the service book, the Management should have placed on record the service book but for reasons best known to it, it has not produced the same. However, the workman in all his representations had been maintaining the date of birth recorded in the service record as 21st August, 1922. The Management also accepted the date as 21st August, 1922 in the letter dated 5th July, 1978 whereby the representation of the workman was rejected for the second time. Hence the date of birth as mentioned at the time of entry is taken as 21st August, 1922.

7. We may now consider as to whether the wrong date 21st August, 1922 was mentioned by the workman by inadvertence or whether it was intentional, in order to derive some advantage as contended by the Management. The fact that the workman gave his date of birth as 22nd August, 1922 in the Forms Ex. M-1 and M-2 pertaining to Employees Provident Fund and Employees Pension and Gratuity Fund on 25th February, 1943 and 22nd August, 1943 whereas at the time of his entry into service on 21st July, 1942 he had given the date of birth as 21st August, 1922 itself goes to show that the workman was confused about his actual date of birth. The contention of the Management in the written statement that the wrong date was given at the time of entry because admission to the bank service was open only to those who had attained the age of majority is not supported by any documentary evidence and it has been categorically controverted by the statement of MW-1 Shri Ramesh Chander Khandhuri who appeared on behalf of the Management that there was no rules regarding age and qualification for appointment of clerks in the Bank in 1942 and even minors were appointed as clerks. Thus when the workman could have been admitted to the service of the bank even when he was a minor with his date of birth 21st August, 1925, it cannot be said that the workman had given the wrong date of birth

in order to derive any advantage and as a corollary it must be held that the wrong date was given only by inadvertence. There may have been some substance in the contention of the Management that entry to the Employees Provident Fund and Employees Pension and Gratuity Fund could be only on attaining the age of 21 years and for this reason the date of birth had been wrongly given, but it could have been so, only if the wrong date had been given for this purpose for the first time. The crucial point to be considered is that at the time of entry the workman did not have to give any wrong date in order to derive any advantage. As the date of birth at the time of entry was given by inadvertence it must be held that the subsequent wrong dates in the forms Ex. M-1 and M-2 for entry to the Employees Provident Fund and Employees Pension and Gratuity Fund were also by inadvertence.

8. The Management admits that it has corrected the dates of birth in respect of S/Shri P. C. Jain, Bhagwan Singh and Hardi Singh. However, its explanation that the cases of these workmen were different on facts and had extra ordinary special features warranting exception to the general rule, is facile and un-acceptable. The fact that a representation made by the workman earlier in 1959 had been rejected was, *ipso facto* no reason for rejecting his subsequent representation. The contention of the Management that the workman is estopped from reagitating the matter as he did not challenge the decision dated 30th October, 1959 before any Court or Authority is without any substance. The workman continued to be in service of the Bank and there was no bar to his making a fresh representation and it is unreasonable to expect the employees to go to the Court every time for challenging the executive decisions that may be taken by the Management in the course of employment. Hence the Management is guilty of hostile discrimination against the workman. In this behalf some observations made by the Hon'ble Supreme Court in *Ramana Dayaram Shetty Vs. The International Airport Authority of India and others* AIR 1979 Supreme Court 1628 are reproduced below :

“.....But the Court, speaking through the learned Chief Justice, responded that the Government is not like a private individual who can pick and choose the person with whom it will deal, but the Government is still a Government when it enters into contract or when it is administering largess and it cannot, without adequate reason, exclude any person from dealing with it or take away largess arbitrarily.....”

20. Now, obviously where a corporation is an instrumentality or agency of Government, it would, in the exercise of its power or discretion, be subject to the same constitutional or public law limitations as Government. The rule inhibiting arbitrary action by Government which we have discussed above must apply equally where such corporation is dealing with the public, whether by way of giving jobs or entering into contracts or otherwise, and it cannot act arbitrarily and enter into relationship with any person it likes at its sweet will, but its action must be in conformity with some principle which meets the test of reason and relevance.

21. This rule also flows directly from the doctrine of equality embodied in Art. 14: It is now well settled as a result of the decisions of this Court in *E. P. Royappa Vs. State of Tamil Nadu*, (1972) 2 SCR 348 : (AIR 1974 SC 555) and *Maneka Gandhi Vs. Union of India*, (1978) 1 SCC 248 : (AIR 1978 SC 597) that Article 14 strikes at arbitrariness in State action ensures fairness and equality of treatment. It requires that State action must not be arbitrary but must be based on some rational and relevant principle which is non-discriminatory; it must not be guided by any extraneous or irrelevant consideration, because that would be denial of equality. The principle of reasonableness and rationality which is legally as well as philosophically an essential element of equality or non-arbitrariness is projected by Article 14 and it must characterise every State action, whether it be under authority of Law or in exercise of executive power without making of law. The State cannot, therefore act arbitrarily in entering into relationship, contractual or otherwise with

a third party, but its action must conform to some standard or norm which is rational and non-discriminatory....."

9. In the light of the discussion made above the action of the Bank in not correcting the date of birth of Shri Maya Ram Singhal workman as per his High School Certificate and retiring him from service on the basis of date of birth 21-8-1922 is not justified. It is, therefore, directed that the date of birth 21-8-1925 as mentioned in the High School Certificate should be accepted as the date of birth of the workman. The age of superannuation in the Bank is 58 years and although when he was retired w.e.f. 21-8-1982, he had been allowed extension of two years but, he had no vested right to the extension. He has a vested right only to continue in service till the age of superannuation which is 58 years. It would mean that the workman had the right to continue in service only till 20-8-83 and not beyond. Under these circumstances it is directed that the workman shall be treated to have continued in service till 20-8-83 and to have retired from service w.e.f. 21-8-83 and he shall be paid all consequential benefits. The Management may adjust any benefits which may have accrued to the workman as a result of early entry to the Employees Provident Fund and the Employees Pension and Gratuity Fund as a result of the wrong date having been given at the time of entry in the service or filling of the forms. This reference stands disposed of accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

Dated : 23rd July, 1987.

[No. L-12012/172/83-D. II (A)]  
G. S. KALRA, Presiding Officer

का.भा. 2394:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण मद्रास के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-87 को प्राप्त हुआ था।

S.O. 2394.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE THIRU FYZEE MAHMOOD B.Sc., B.L. PRESID-  
ING OFFICER, INDUSTRIAL TRIBUNAL, TAMILNADU,  
MADRAS

(Constituted by the Central Government)  
Friday, the 24th day of July, 1987

Industrial Dispute No. 56 of 1986

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the Management of State Bank of India, Madras-1)

#### BETWEEN

Thiru G. Jayaraman,  
48, K. R. Ramaswamy Street,  
M.G.R. Nagar, Madras-600 078

#### AND

The Chief General Manager,  
State Bank of India,  
Local Head Office,  
21, Rajaji Salai, Madras-600 001.

#### REFERENCE :

Order No. L-12012/237/85-D.II (A), dated 11-8-1986  
of the Ministry of Labour, Government of India,  
New Delhi.

This dispute coming on for final hearing on Thursday, the 9th day of July, 1987 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru N. G. R. Prasad for Thiruvalluvar Kow and Keady, Advocates appearing for the workman and of Thiru K. Sreekrishnan, Advocate for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following

#### AWARD

This dispute between the workman and the Management of State Bank of India, Madras-1 arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-12012/237/85-D.II (A), dated 11-8-1986 of the Ministry of Labour for adjudication of the following issue :

Whether the action of the management of the State Bank of India, Local Head Office, Madras in relation to its Anna Salai Branch in dismissing Shri G. Jayaraman, Bill Collector from service with effect from 16-8-84 is justified? If not, to what relief the workman concerned is entitled?

2. In the claim statement, it is stated that the Petitioner-workman joined the services of the Respondent-Bank in 1962 as a messenger and was promoted as a Bill Collector in the year 1975. On 19th March, 1984 he was issued with a charge sheet alleging that he had failed to remit monies collected from the local post office to the Bank's Account on different dates amounting to an act prejudicial to the interests of the Bank. He gave an explanation wherein he pleaded for lenient punishment as he had no dishonest intention to misappropriate the amount due to the Bank but had remitted it belatedly due to certain compelling circumstances. On 19-7-1984 a domestic enquiry was conducted, wherein the Petitioner admitted the non-remittance of the funds and temporary retention of the same. The Enquiry Officer found him guilty of the charges framed and accepting the findings of the Enquiry Officer a notice of the proposed punishment of dismissal was issued. In spite of his representation that the punishment of dismissal was too harsh and severe he was dismissed from service by an order dated 16th August, 1984. He filed an appeal which was also rejected. It is contended that the enquiry was not conducted in a fair and proper manner. The Punishing Authority had not taken into account the gravity of the misconduct and his past record of service in imposing the punishment of dismissal from service. It is therefore prayed that the punishment warrants interference under Section 11-A of the Industrial Disputes Act, 1947.

3. In the counter statement filed on behalf of the Respondent-Bank, the allegations made in the claim statement are denied. The Petitioner was employed as a Bill Collector at Anna Salai Branch of the Respondent-Bank. He was proceeded against for acts of gross misconduct for having temporarily misappropriated monies collected on behalf of the Bank. In the explanation tendered and the enquiry conducted the Petitioner had virtually admitted his guilt and only pleaded for lenient punishment. The enquiry was conducted in a fair and proper manner and the Petitioner was given ample opportunity to defend himself. Accepting the findings of the Enquiry Officer holding the charges as proved, the Petitioner was dismissed from service. The order of dismissal was legally justified and it is not disproportionate to the gravity of the misconduct committed. The Punishing Authority and the Appellate Authority had taken into account all the extenuating circumstances and the past service of the Petitioner while imposing the punishment. The Respondent-Bank being a public institution dealing with public money cannot afford to keep in service dishonest and untrustworthy persons lacking in integrity and truthfulness. Hence claim petition has to be dismissed.

4. Point.—The point for consideration is as contained in the reference.

5. No oral evidence was adduced on either side. Exs. W-1 to W-17 were relied upon by the Petitioner and Exs. M-1 to M-3 marked on behalf of the Respondent-Bank.



6. At the outset itself it may be pointed out that the learned counsel for the Petitioner did not challenge the validity of the enquiry on any ground and confined his arguments only to Section 11-A of the Industrial Disputes Act on the sole plea that the punishment of dismissal imposed was harsh and excessive and disproportionate to the gravity of the misconduct committed by the Petitioner.

7. In dealing with the point urged, it would be essential to give a brief background of the facts which lead to the dismissal. The Petitioner was working as a Bill Collector at the Anna Salal Branch of the Respondent-Bank. On 19-3-1984 he was issued with a charge sheet marked as Ex. W-1 in having failed to remit monies collected towards pension amount from the local post office to the Respondent-Bank as required. The details of the misappropriation alleged as given in Ex. W-1 are hereby extracted.

Date of receipt of money at the Post Office	Amount Rs.	Date remitted at the Branch
26-11-1983	1736.00	23-1-1984
28-1-1984	434.00	17-2-1984
17-12-1983	1112.00 (paid Rs. 2000 on 10-3-84)	
23-1-1984	2034.00 (paid Rs. 1146 on 12-3-84)	

Pending enquiry into the charge framed he was kept under suspension as disclosed by Ex. W-3. In the written explanation marked as Ex. W-4, the Petitioner admitted having failed to remit into the Bank the monies that he had collected from the Post Office on the respective dates and the delay on his part in remitting the amount to the Bank. He further stated that he was having financial difficulties and domestic problems which had resulted in his having retained the amounts in question and requested the authorities to condone his lapses. Subsequently, a domestic enquiry was conducted on the above charges and Ex. M-2 are the copy of the enquiry proceedings. As disclosed by this exhibit, the Petitioner had unconditionally admitted the misappropriation of funds as stated in the charge sheet and had also given the written representation to the Enquiry Officer marked as Ex. W-7 to the same effect. The Enquiry Officer as revealed by his findings Ex. W-8 had held the charges proved as the Petitioner had accepted all the charges levelled against him. He had also stated that the above action of misappropriation of Bank's money was an act prejudicial to the interests of the Bank and would amount to grave misconduct in terms of Section 521.4(i) of the Sastri Award. According to the findings of the Enquiry Officer, the Punishing Authority had issued a notice to the Petitioner dated 3-8-1984 marked as Ex. W-9 to show cause against the proposed punishment of dismissal. Ex. W-10 was the explanation tendered by the Petitioner to the above notice, wherein he had only pleaded for leniency. He was therefore dismissed from service by an order dated 16-8-1984 marked as Ex. W-11. Ex. W-13 was the order of the Appellate Authority dated 7-2-1985 rejecting the appeal.

8. As already adverted to the only plea urged on behalf of the Petitioner is that the order of dismissal in harsh and excessive and disproportionate to the gravity of the misconduct committed. The Petitioner had admitted that he had temporarily misappropriated the monies belonging to the Bank and remitted them after a long delay. The allegations levelled against the Petitioner which had been voluntarily accepted by him in the enquiry conducted and therefore stand proved clearly indicate that he had committed grave misconduct by committing acts prejudicial to the interests of the Bank in terms of Section 521.4(i) of the Sastri Award. However, it is contended on behalf of the Petitioner that he had joined service on 14-11-1962 and working as a Bill Collector from 15-3-1985 and had an unblemished record of service. He had committed the acts of misappropriation on account of compelling difficulties and financial commitments and had subsequently remitted the amount in full to the Bank. The learned counsel for the Respondent had stated that by acts of grave misconduct committed by the Petitioner, the Bank had lost the confidence reposed in him. The Respondent-Bank, a public institution dealing with public money cannot retain in service a person lacking in honesty and integrity and in whom they had lost confidence. In the circumstances he strongly opposes the Petitioner being reinstated in service even if the order of dismissal is to be interfered with.

9. It is no doubt true that the Petitioner had committed grave misconduct which would normally entail the order of dismissal. However, taking into account the fact that he had put in nearly 22 years of unblemished service with the Respondent-Bank and compelling family circumstances had driven him to temporarily misappropriate the Bank's money, which he had subsequently fully paid, the order of dismissal would be harsh and excessive and disproportionate to the gravity of the misconduct committed and it is accordingly set aside. However as this is not a fit case where the Petitioner can be directed to be reinstated in service, in my view, compensation in lieu of reinstatement would meet the ends of justice. The last drawn salary of the Petitioner was Rs. 2,481.88 and he had about 14 years of service left on the date of the removal. Taking into account, the facts and circumstances of the case, a sum of Rs. 1,20,000 approximately amounting to last drawn salary for four years is awarded as compensation in lieu of reinstatement and the Petitioner would not be entitled to any other relief. He would be entitled to claim Provident Fund, Gratuity and any other amounts legally due to him. It is further directed that the Respondent-Bank shall assist him in securing maximum deduction under the Income-tax Act and Rules for the compensation to be paid. The compensation awarded shall be paid on or before 1-10-1987, failing which it shall carry interest of 12 per cent from the date of publication of the award till date of payment. Award passed accordingly. There will be no order as to costs.

Dated, this 24th day of July, 1987.

Sd/-

FYZEE MAHMOOD, Industrial Tribunal

Witnesses Examined

For both sides.—None.

Documents Marked

For workman :

- Ex. W-1/19-3-84—Charge sheet (copy)
- Ex. W-2/26-3-84—Letter from the workman requesting the Management for submitting explanation. (copy)
- Ex. W-3/19-3-84—Suspension Order. (copy)
- Ex. W-4—31-3-84—Explanation given by the workman. (copy)
- Ex. W-5/30-6-84—Letter informing the workman about the decisions to conduct an enquiry. (copy)
- Ex. W-6/10-7-84—Letter from the Enquiry Officer. (copy)
- Ex. W-7/19-7-84—Letter from the workman to the Enquiry Officer. (copy)
- Ex. W-8/2-8-84—Findings of the Enquiry Officer. (copy)
- Ex. W-9/3-8-84—Letter from Disciplinary Authority informing about the proposed punishment. (copy)
- Ex. W-10/14-8-84—Letter from the Petitioner-workman to the Disciplinary Authority, requesting for a lenient view. (copy)
- Ex. W-11/16-8-84—Dismissal Order. (copy)
- Ex. W-12/19-9-84—Appeal preferred to the General Manager (Operations) Appellate Authority. (copy)
- Ex. W-13/7-2-85—Order of the Appellate Authority. (copy)
- Ex. W-14/5-6-85—Petition under Section 2-A of the Industrial Disputes Act. (copy)
- Ex. W-15/21-6-85—Notice from Assistant Labour Commissioner (C)-II, Madras.
- Ex. W-16/29-7-85—Counter given by the Management to Section 2-A petition.
- Ex. W-17/29-10-85—Conciliation failure report. (copy)

For Management :

- Ex. M-1/9-3-84—Letter by the Petitioner-workman to the Management. (xerox copy)
- Ex. M-2/19-7-84—Enquiry Proceedings. (xerox copy)
- Ex. M-3/26-11-84—Letter by the Petitioner-workman to the Management. (copy)

FYZEE MAHMOOD, Industrial Tribunal  
[No. L-12012/237/85-D.II (A)]

का.आ. 2395:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-87 को प्राप्त हुआ था।

S.O. 2395.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award as shown in the Annexure in the industrial dispute between the employers in relation to the Bank of India and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
NEW DELHI

I. D. No. 193/83

In the matter of dispute between :

Shri K. K. Bhatia S/o Shri Gobind Ram Bhatia, r/o 3/8  
Ashok Nagar, Tilak Nagar, New Delhi.

Versus

Bank of India,

through its Regional Manager,  
8 T. I. Building 4, Parliament Street,  
New Delhi.

APPEARANCES :

Shri P. N. Gupta—for the workman with Shri P. P.  
Tirkha.

Shri Jagat Arora Advocate—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-12012/15/82-D.II(A) dated 24th May, 1983 had referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Management of Bank of India in relation to their Connaught Circus Branch in terminating the services of Shri K. K. Bhatia with effect from 24-10-1970 vide their order dated the 7th April, 1972 is justified? If not, to what relief is the workman entitled?"

2. The case of the workman as made out in his statement of claim is that he joined the service of the Bank of India, New Delhi (hereinafter referred to as the Bank) in April, 1966 on daily wage basis and was confirmed in the post of Sepoy w.e.f. 9-1-67. In the year 1970 the workman was mentally perturbed on account of epileptic disease and he was not in a position to discharge his duties and applied for sick leave vide leave application dated 24-12-1970 through his father Shri Gobind Ram Bhatia for the period 2-12-70 to 2-2-71. His father sent another letter seeking extension of leave on medical ground from 3-2-71 to 2-3-71. There was no reply from the Bank and in the absence of any instruction from the Bank to the contrary the leave was presumed to have been granted. Another representation dated 3-3-71 was made by the workman's father in which extension of leave was sought from 3-3-71 to 12-12-71 but there was no reply from the Bank. After his recovery from the disease and on getting a fitness certificate on 14-12-71 from a Doctor, the workman reported for duty on 16-1-72. The Management allowed him to resume the duties in the Connaught Circus Branch of the Bank. But later on his marked attendance from the attendance register was deleted though he was allowed to resume duty but he was completely refused to resume the duty from 19-2-72. The workman protested against the wrongful refusal to resume duty and made a representation dated 19-2-72. The Management vide its letter No. PERS-OVtt-2737 dated 7-4-72 intimated him that he has been continuously absenting himself unauthorisedly and could

not be allowed to resume the duty and his absence was presumed as abandonment of service from 24-10-70. The Management thus terminated the services of the workman vide letter dated 7-4-72 in illegal and arbitrary manner and in utter violation of principles of natural justice. The workman again represented against his illegal termination but the Management did not reply and on the contrary implicated him in a false criminal case and got him prosecuted in a criminal case but since charges against him were false he was acquitted by the Criminal Court on 14-1-1981. The action of the Management in terminating the services of the workman w.e.f. 24-10-70 vide order dated 7-4-72 is illegal, unjustified, arbitrary and in violation of principles of natural justice and in violation of section 25-F of the I. D. Act, 1947, as no notice was served upon him nor any charge sheet was framed against him nor any enquiry was conducted nor any retrenchment compensation paid. Hence the workman have sought reinstatement with continuity of service and full back wages by declaring the order dated 7-4-72 as unjustified, illegal null and void.

3. The Management in its written statement controverted the claim and allegations of the workman. The Management raised the preliminary objection that the workman had raised a dispute before the Conciliation Authority in the year 1982 and after the Conciliation Proceedings the Government of India vide its order dated 22-12-82 refused to refer the dispute for reference and that the present reference has been made without following the principles of natural justice in as much as it has been made behind the back of the Bank without giving a proper opportunity and thus is bad and liable to be rejected. The reference is based on no material and has been made by non application of mind and is invalid and ultra vires. On merits it was submitted that the workman did not raise any dispute or protest for almost 10-12 years and after such a lapse of time he wants to take unequivocal advantage of his own laches and delay. During the year 1970 a fraud involving an amount of Rs. 13000 was committed at the Connaught Circus Branch of the Bank between the period 20-7-70 to 13-10-70 in the Saving Bank Account No. 4981 opened with the Bank in the name of Ashok Goel. The Manager of the Branch had, therefore, filed a complaint on 28-11-70 with the police. The police investigated the case and launched prosecution in the Criminal Court in which four persons including the workman were accused of committing the fraud. The workman started absenting himself from duty w.e.f. 24-10-70 and as a matter of fact the workman himself admitted in his application that he did not attend to his duties from 24-10-70 to 19-1-72 on account of some unavoidable circumstances. Therefore the story of his being ill and submitting of leave application by his father is a concocted one. If he was ill he could have stated so and submitted the medical certificate or any other authentic proof of illness but he has not done so. The Management wrote several letters to the workman dated 28-10-1970, 25-11-70 (2 letters) 28-11-70 and 2-4-71, advising him to report for duty. Two of the letters dated 28-11-70 and 2-4-71 which were sent by registered post were returned undelivered with the remarks of the postal authorities "intentionally avoiding to take the delivery". The other letters which were sent by U.P.C. post are presumed to have reached the workman in the ordinary course of business. In spite of these letters the workman did not report for duty and did not also send any intimation about his prolonged absence. The Management even received a report from the Superintendent of Police vide letter dated 16-2-71 that in spite of efforts made by the police authorities the workman could not be located and arrested by the police in connection with the police criminal case. Under the Bank Award and the Bipartite Settlements leave is treated to be sanctioned only when an order to that effect is passed. However, in the present case leave was clearly refused and there was no justification for the workman to remain absent for such a long period and the Management was fully justified in treating the workman to have abandoned his service. It was denied that the Management had implicated the workman in a criminal case and it was stated that since a fraud had been committed in the Branch of the Bank it was incumbent on the Branch Manager to lodge a report with the police and it is the police who after investigation filed a criminal case in the court of law and the Bank was not in the picture at all. The investigation was done by the CID and the prosecution was also launched by the CID and there is no nexus between the Criminal case and termi-



nation of service as alleged by the claimant. The bank has not taken any action on the basis of criminal prosecution launched by the police and the CID authorities and it has passed the order on the basis of long absence on the part of the workman presuming it to be a case of voluntary abandonment of service. As it was a case of abandonment of service and not a case of termination, there was no requirement of any charge sheet or departmental enquiry and there was also no violation of the provisions of section 25-F of the I. D. Act.

4. First of all the preliminary objection raised by the Management is taken up. No doubt the Government of India had earlier refused to refer the dispute raised by the workman for adjudication to the Labour Tribunal but that in itself does not constitute any bar to the jurisdiction of the Government to exercise the statutory power conferred upon it by Section 10 of the I.D. Act. The Central Government in exercise of its powers under section 10(1) of the Act have thought it fit to reconsider their decision and make the reference to this Tribunal for adjudication of the dispute. It is not within the province of this Tribunal to pass any judgment on the exercise of this power by the Central Government. If the Bank had any grievance it could have challenged the order of reference before the High Court or Supreme Court by way of Writ petition. Hence this objection of the Management is rejected.

5. The short question that falls for consideration on merits in this case is as to whether it was a termination of the service of the workman as alleged by him or whether it was a case of abandonment of service as contended by the Management. Although a number of authorities have been cited by representatives of both the parties in support of their respective contentions, the basic principle has been laid down by the Hon'ble Supreme Court in the Authority G. T. Lad and others Vs. Chemicals and Fibres India Ltd. AIR 1979 Supreme Court 582 as under :

"Whether there has been a voluntary abandonment of service or not is a question of fact which has to be determined in the light of the surrounding circumstances of each case."

6. The surrounding circumstances of this case clearly go to show that it is a case of abandonment of service and not of termination. In the first instance the workman is guilty of telling falsehood and fabricating false evidence. In the statement of claim the workman does not give any explanation for his absence from duty from 24-10-1970 to 1-12-1970. He has simply stated that in the year 1970 he was mentally perturbed on account of epileptic disease and applied for sick leave vide the application dated 24-12-70 through his father Sh. Gobind Ram Bhatia for the period from 2-12-70 to 2-2-1971. However, the workman has conveniently placed on record a typed application dated 26-10-70 Ex. W-1 stating that he was going to Calcutta for an urgent work and he was unable to attend the office from 24-10-70 to 12-11-70. Another similar application dated 10-11-70 Ex. W-2 has been placed on record stating that he wanted to extend his leave upto 1st December because he was not well. There is no receipt of these applications on behalf of the Bank and there is not even any preference of having sent these applications through U.P.C. as has been done in the case of the subsequent applications. It is to be noted that even in the application Ex. W-1 the reason given is that the workman is going to Calcutta for an urgent work and there is no mention of any sickness, whereas in the statement of claim the stand taken is that in the year 1970 the workman was mentally perturbed on account of epileptic disease and was not in a position to discharge his duties as he was confined to bed and hence applied for sick leave. If his plea in the statement of claim is to be believed how could have he gone to Calcutta when he was confined to bed and if the reason given in Ex. W-1 is to be believed then his statement that he was sick and confined to bed in the year 1970 as in the statement of claim is shown to be false. As the starting point of the period of absence itself is surrounded in falsehood all the subsequent applications to explain the period of absence have to be looked with suspicion. The oral evidence produced in this respect is also contradictory. WW1 Shri Gobind Ram Bhatia father of the workman stated that the workman had not fallen sick at Calcutta but at Delhi. However, the workman in his cross-examination as WW2

stated that he fell ill at Calcutta itself and he remained in Delhi during illness. It is, therefore, apparent that at least one of them if not both of them were telling falsehood. Again the workman has stated that he got himself treated by Dr. S. K. Dewan for about 1-1/4 years who diagnosed his disease as Epilepsy and treated him till December, 1971 and he also obtained fitness certificate from him in December, 1971 but presented the same to the Bank in January or February, 1972. Now it has not been stated that the said Dr. S. K. Dewan is not available or has died. Rather it has been stated that his clinic is in Subhash Nagar adjacent to Ashok Nagar. In that event there could not have been any difficulty in producing Dr. S. K. Dewan to substantiate the claim of the workman for his treatment from him and to prove the certificate alleged to have been issued by him. However, the workman has for reasons best known to him not produced the said Dr. S. K. Dewan, which gives rise to adverse inference against the workman that he had not been in the treatment of Dr. S. K. Dewan, as per his own statement he had been declared fit in December, 1971 and had obtained fitness certificate in December, 1971. There was no justification whatsoever for him not to report to the Bank for duty immediately after obtaining the fitness certificate but he chose his own time to present himself in January or February, 1972. This gives rise to an inference that he was not at all interested in the service of the Bank.

7. It is the case of the Bank that it had written letters to the workman asking him to report for duty forthwith but the workman did not do so. In his petition filed before the Assistant Labour Commissioner in the conciliation proceedings in para 2 attached with the covering letter Ex. WW2/1 the workman made the following averment :

"2. That Shri Bhatia, the concerned workman applied for leave as has been acknowledged by the Bank vide letter No. D. 18 : PVH : 7441 dated the 28th November, 1970 and the same was rejected but another letter No. ND : 18 : 7216 of even date the Bank Management is contradicting to the effect that Shri Bhatia has been absented from duty without any intimation."

It is, therefore, manifest that the workman acknowledged having received the letter No. D. 18-PVH-7441 dated 28-11-1970 Ex. M-5 and the letter No. ND-18-7216 dated 28-10-1970 Ex. M-1 (although the workman has mentioned even date meaning thereby 28-10-70 used for the letter M-5 yet the date appears to be mistakenly given and the letter is clearly identified as M-1). However the workman conveniently forgot as to what he has mentioned in the petition before the ALC and had the temerity to tell this Tribunal that he had not received these letters both in his evidence as well as in the cross-examination as WW2.

8. The Management has placed on record two letters dated 28th November, 1974 Ex. M-5 and dated 2nd April, 1971 Ex. M-7 alongwith registered cover Ex. M-4 and M-6 respectively. Both the registered covers were received back with the report of the postal authorities "intentionally avoids to take delivery". The address given on both these registered covers is 3/8 Ashok Nagar Post Office, Tilak Nagar, New Delhi-18. Both WW1 Shri Gobind Ram Bhatia and WW2 Shri K. K. Bhatia workman confirmed the correctness of their address as 3/8 Ashok Nagar, Tilak Nagar, New Delhi. WW1 Shri Gobind Ram Bhatia also stated that the workman may have been receiving the letters sent by the Bank. In fact, the workman in his petition before the ALC attached with Ex. WW2/1 had admitted having received the letter dated 28-11-71 Ex. M-5 as also the letter dated 28-10-70 Ex. M-1. It is, therefore, clearly proved that the Bank had sent several letters to the workman but inspite of them he did not report for duty and this clearly indicated his intention to abandon his employment.

9. Both WW1 Shri Gobind Ram Bhatia and WW2 K. K. Bhatia have stated that the workman reported for duty to the Bank on 16th January, 1972 and he was allowed to resume duty by the Branch Manager, Connaught Circus Branch but later on his marked attendance from the attendance register was deleted though he was allowed to resume duty and he was completely refused duty from 19-2-72. However, these statements of the witnesses are found to be factually false. It appeared to be Sunday on 16-1-1972 and the question of

the workman reporting at the Bank on Sunday did not arise. The Management has produced the attendance register of the relevant period and I have myself verified the register and there is nowhere any attendance of the workman marked in the Month of January or February, 1972 nor is there any deletion of any such attendance. Hence, the statements made by the witnesses are clearly false.

10. After his long absence from 24-10-70, it is only on 19-2-72 that the workman filed an application, receipt of which is admitted by the Bank, to the following effect :

"Respectfully I beg to state that due to some unavoidable circumstances I could not attend the office from 25-10-70 to 15-1-72. Therefore, I may be allowed to resume my duty."

This letter amounts to an admission that the workman had been absent at least for the period from 25-10-70 to 15-1-72 although it does not account for the absence on 24-10-70 and from 16-1-72 to 18-2-72. The point to be noted is that the reason given for the absence is that "due to some unavoidable circumstances", and there is no mention that he was sick or confined to bed. It, therefore, becomes clear that the story of sickness and treatment for the disease of epilepsy and obtaining of a medical certificate is all concocted and the evidence in this respect has been fabricated.

11. After making the application on 19-2-72 and getting a reply dated 7-4-1972 (which has been touted as order of termination) the workman totally disappeared from the scene and made his appearance again only in the later half of 1981 when he filed the undated petition attached with Ex. WW 2/1 before the A.L.C. (Central), New Delhi. The reason given for this long period of hibernation is that the workman was acquitted in the criminal case on 14-1-1981 and all along he had been assured by the Branch Manager of the Bank that his case of reinstatement would be considered after the decision of the Criminal Case. No documentary proof has been produced in support of any such assurance having been held out by the Branch Manager of the Bank. As has been shown above, the workman can go to any extent to tell lies and, therefore, he cannot be taken at his word without any documentary evidence in support. In fact, the Branch Manager could not have held out any such assurance because there was no link between the alleged termination of the service of the workman and the criminal case pending in the Court against the workman. The absence of the workman started from 24-10-1970 whereas the bank had lodged a report with the police in November, 1970 and the case was registered only on 1-12-70. Hence the workman has not been able to give any satisfactory explanation for the long delay in his raising the Industrial Dispute. This also indicates the intention of the workman to abandon his service and it is only an after thought that he has raised an industrial dispute.

12. It is not disputed that there was a case of fraud in the Bank of the Branch where the workman was employed relating to the Saving Bank Account number 4981 in the name of one Shri Ashok Goel between the period 20-7-70 to 13-10-70. The Bank was therefore duty bound to lodge a report with the police which it did. It is the police and the CID who on investigation found four persons including the workman as involved in the criminal case and launched prosecution against them. It is a different matter that the accused were acquitted by the Criminal Court but no intention can be attributed to the Management for lodging a false complaint against the workman. Hence the allegation of the workman in this respect is disbelled. It appears that because of fear of involvement in the criminal case the workman absconded and deserted his employment. This fact is also confirmed by the letter dated 16-12-1971 written by the Superintendent of Police to the Bank that efforts had been made to trace out the workman K. K. Bhatia but he could not be arrested and, therefore, non-bailable warrants had been obtained from the Court and proceedings under sections 87-88 and 512 Cr. P.C. were contemplated. Thus there was a reason for the abandonment of employment by the workman and from this an intention on the part of the workman to abandon his employment can be safely inferred.

13. In view of the discussion made above, it is a clear case of abandonment of service and not of termination of

service. The workman is not entitled to any relief. This reference stands disposed of accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

30th July, 1987.

G. S. KALRA, Presiding Officer  
[No. L-12012/15/82-D.II(A)]  
N. K. VERMA, Desk Officer

नई दिल्ली, 28 अगस्त, 1987

का० आ० 2396—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय खाद्य निगम के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 अगस्त, 1987 को प्राप्त हुआ था।

New Delhi, the 28th August, 1987

S.O. 2396.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
NEW DELHI.

I. D. No. 20/81

In the matter of dispute between :

Om Parkash and Ramesh Tahiliani,

Versus

The Management of Food Corporation of India, Bala Khamba Lane, New Delhi.

APPEARANCES :

Shri Mool Chand Deputy Director for Management.

None for the workmen.

AWARD

The Central Government, in the Ministry of Labour, vide its Notification No. L-42012(29)/80-D.II(B) dated 17-2-1981 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Food Corporation of India in terminating the services of S/Shri Om Parkash and Ramesh Tahiliani, their employees in the Residuary Cell, with effect from 19-6-1979 (A.N.) is legal and justified? If not, to what relief the workmen are entitled?"

2. The workmen filed their statement of claim on 25-7-81. The Management filed its written statement on 28-10-81. The workmen filed rejoinder on 10-12-81. The parties also filed documents. Earlier the parties had been taking adjournments for settlement. As no settlement could be arrived at the case was fixed for Management evidence. However, the workmen started absenting w.e.f. 1-6-87. Even on the adjourned date 7-7-87 none appeared for the workmen. The case was adjourned for today for Management evidence but even today none appeared on behalf of the workmen. It appears that the workmen are not interested in prosecuting their claim. Hence no dispute award is given and reference is disposed of accordingly.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.  
20th July, 1987.

G. S. KALRA, Presiding Officer  
[No. L-42012/29/80-D.II(B)]

का.सं. 2397—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, टेलीकॉम फैक्टरी, जबलपुर के प्रबंधन से संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-87 को प्राप्त हुआ था।

S.O. 2397.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Telecom Factory, Jabalpur and their workmen, which was received by the Central Government on the 18-8-87.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(37)/1984.

#### PARTIES :

Employers in relation to the management of Telecom Factory, Jabalpur (M.P.) and their workman, Shri Gulab Singh, Mazdoor T. No. 132 R/o H.No. 116, Tulsi Mohalla, Ghanapur, Jabalpur (M.P.).

#### APPEARANCES :

For Workman—Shri P. S. Nair, Advocate and Rajendra Menon, Advocate.

For Management—Shri C. K. Sharma, Advocate.

INDUSTRY : Telecom Factory DISTRICT : Jabalpur (M.P.)

#### AWARD

Dated, August, 12, 1987

By Notification No. L-40012(8)/83-D. II(B) dated 7/11th June, 1984 the Central Government in the Ministry of Labour referred the following dispute to this Tribunal, for adjudication :—

“Whether the action of the management of Telecom Factory, Jabalpur (M.P.) in terminating the services of Shri Gulab Singh, Mazdoor T. No. 132 with effect from 17-7-1976 is justified? If not to what relief the workman is entitled?”

2. Facts which no longer in dispute are that the workman, Shri Gulab Singh, was appointed Mazdoor temporarily in Tele Communication Factory, Jabalpur on 11-7-1973. His services were extended from time to time. His last extension was vide order dated 26-4-1975 upto 28-2-1977 (Ex. M/6). On 18-3-1976 the workman was arrested in a criminal case for an offence under Sec. 302/201 I.P.C. and confined to jail. The workman was, therefore, suspended vide order dated 25-3-1976 (Ex. M/5). The workman along with others was tried in the Session Case No. 95/75 and was convicted for an offence under Sec. 201 I.P.C. for R.I. of 5 years on 14-9-1976 (as the documents Ex. M/12 to Ex. M/15 go to show). However, in the mean time management terminated his service vide order dated 17-7-1976 (Ex. M/4) under first proviso to 27(1) of the Certified Standing Orders and ordered that he be paid the amount equivalent to his pay plus allowances for one month in lieu of notice.

3. However the workman and others appealed to the High Court and vide its Judgement dated 15-1-1980 (Ex. W/1) Hon'ble High Court acquitted the accused persons including workman, Shri Gulab Singh.

4. The case of the workman further is that he was released on bail in the first week of October 1976. Thereafter he applied to the management for being taken in service but without any effect. Even after acquittal for sometime management refused to take him in service. Ultimately vide order dated 7-2-1984 (Ex. M/11 and Ex. M/3) management offered the workman a fresh appointment. Since he was out of employment for a long time he accepted the offer vide his application dated 12-2-1984 (Ex. M/9 and Ex. M/4). He was, therefore, appointed vide order Ex. M/10 with effect from 27-7-1984 as a fresh candidate. Therefore the plea of the workman is that his initial termination was on account of false involvement in a criminal case in which he has also been acquitted. Therefore he is entitled to reinstatement with continuity of service, seniority and full back wages and other consequential benefits.

5. The plea of the management is that since the workman was confined in jail and was unable to work his services were terminated without any stigma attached to it. The management graciously offered him new appointment which he accepted unconditionally. Therefore, he cannot contend that his previous termination now be adjudicated. He has waived such a right if any. He is not entitled to the wages for the period he was in jail and did not work. He is also not entitled to continuity of service etc.

6. I framed the following issues which with my findings and reasons are as under :—

#### ISSUES

1. Whether the action of the management of Telecom Factory, Jabalpur (MP) in terminating the services of Sri Gulab Singh, Mazdoor T. No. 132 with effect from 17-7-1976 is justified?

2. If not, to what relief the workman is entitled Findings with reasons :—

7. Issue No. 1 & 2.—It is not disputed by the management that his termination was because he was involved in a criminal case and they could not wait. Therefore under Standing Order 27(1) they terminated his services vide Ex. M/4. The plea of the management is that his services were temporary which were extended from time to time as is apparent from Ex. M/6 to Ex. M/8. Therefore his services could be terminated with one month's notice or one month's pay in lieu of notice as has been laid down in Cl. 27(1) of the Standing Order. I am unable to agree. The workman was appointed on 12-3-1973 and he had completed more than three years service on the date of termination i.e. 17-7-1976. The Standing Order clearly lays down that a permanent post may be conferred on a workman who completed three years service. This workman had already completed three years services and he would be deemed to have been a permanent employee. This amounts to unfair labour practice in not making him a permanent employee under Cl. 10 of the Schedule V of the Industrial Disputes Act. In any case, the management did not comply fully with the provision of Cl. (b) and (c) of Sec. 25F of the I.D. Act regarding the retrenchment compensation and notice to appropriate Government. Therefore the termination of workman for whatsoever reason will amount to retrenchment and such retrenchment without complying with the provision of Sec. 25F of the Act would be void ab initio as has been laid down in the case of Mohan Lal Vs. Management of M/s. Bharat Electronics Ltd. (AIR 1981 SC 1253).

8. Admittedly the services of the workman were terminated because he was involved in a criminal case. So once he was acquitted honourably by the High Court vide judgement dated 15-1-1980 (Ex. W/1) he became entitled to be reinstated and placed in the same position (except for the period of his confinement in jail) as if he had continued in service. It was no fault of his for being implicated in a criminal case of which he has been acquitted that he should be made to suffer. The appointment as a fresh candidate and that too after lapse of more than three years from his acquittal and can by no means said to be just and proper. Simply because the workman accepted the offer or fresh appointment it could not be said that he waived his right of reinstatement with all consequential benefits. Workers are poor persons and

once they are out of employment management is in a position to bargain with them. But management should not take advantage of their weak bargaining capacity as it may amount to victimisation. In any case, his termination was not in good faith and it was only in a colourable exercise of employers right that his services were terminated, even before he was convicted (Schedule V Clause 5 of the I.D. Act). Management had suspended him order dated 25-3-1976 (Ex. M/5) that would have been sufficient till he was finally acquitted or convicted, but the management went a step further and terminated his services for the simple reason that he was involved in a criminal case. Therefore his termination cannot said to be in good faith and it is liable to be set aside. He is, therefore, entitled to be reinstated with full back wages and all ancillary benefits except for his pay for the period during which he was confined in jail and could not work on the principle of no work no pay. I decide these issue accordingly and answer the reasons as under:—

That the action of the management of Telecom Factory, Jabalpur (MP) in terminating the services of Shri Gulab Singh, Mazdoor T. No. 132 with effect from 17-7-1976 is not justified. He is, therefore, entitled to be reinstated with effect from 17-7-1976 with full back wages, continuity of service, seniority and all consequential benefits except the following:—

He will not be entitled to wages for the period of arrest from 18-3-1976 to the date of release from jail i.e. 7-10-1976. For this period he will only get the suspension allowance as per rules, if not already paid to him. He will only get the difference of wages which he is entitled to get by virtue of this order and his fresh appointment pay with effect from 28-7-1984 upto date. Management will further pay Rs. 250 as costs of this proceedings to the workman.

V. S. YADAV, Presiding Officer  
[No. L-40012/8/83-D.II(B)]

का० आ० 2398 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 अगस्त 1987 को प्राप्त हुआ था।

S.O. 2398.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India, and their workmen, which was received by the Central Government on the 10th August, 1987.

BEFORE SHRI G. S. KALRA; PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,

NEW DELHI

I.D. No. 3/86

In the matter of dispute between :

The General Secretary,  
Food Corporation of India,  
Employees' Union,  
(Regd. No. 2237/New Delhi)  
Versus

The Managing Director,  
Food Corporation of India,  
16-20, Barakhamba Lane,  
New Delhi-110001.

#### APPEARANCES :

Shri V. Naryan—for the workmen.

Shri P. Srinivas Rao—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its notification No. L-42011(8)/85-D.V dated 14th November, 1985 has referred the following industrial dispute to this Tribunal for adjudication :

- (a) "Whether the action of the management of Food Corporation of India, New Delhi in transferring S/Shri S. R. Chachra Umaphathi Bhardwaj, D. M. Aggarwal, R. K. Mehrotra and Anoop Singh with effect from 26-3-1985 is justified? If not, to what relief these workers are entitled?"
- (b) "Whether the action of the management of Food Corporation of India, New Delhi in withholding one increment without cumulative effect of S/Shri S. R. Chachra, Umaphathi Bhardwaj, D. M. Aggarwal, R. K. Mehrotra and Anoop Singh vide their order dated 18-10-1985 is justified? If not to what relief these workers are entitled?"

2. Some of the undisputed facts are that S/Shri S. R. Chachra (A.3.M) Umaphathi Bhardwaj, Assistant Gr. I, Anoop Singh Assistant Gr. I, D. M. Aggarwal Assistant Gr. II and R. K. Mehrotra Asstt. Gr. III were the active office bearers of the Bharatiya Khadya Nigam Karamchhari Sangh, North Zone (Registered) H.Q. Unit New Delhi. The said Karamchhari Sangh served a notice on the Management of the F.C.I. on 6-2-1985 for acceptance of certain demands and for the starting of an agitation w.e.f. 25-3-1985. On 26-3-1985 at 3 PM there was a meeting between the Union representatives and the Management representative P. P. Khanna Manager (P&IR). On the same evening, after office hours, orders of suspension of the said five union workers were served upon them, in exercise of the powers conferred under sub-rule 1 of Regulation 66 of the F.C.I. Staff Regulations 1971 (hereinafter referred to as the Staff Regulations, 1971), on the allegations that they had engaged themselves in activities prejudicial to the interest of the Security of the State and the Head Quarters of S. R. Chachra were changed to Regional Office Jammu (J.K.), Shri Umaphathi Bhardwaj to Regional Office, Shimla (H.P.) Anoop Singh to District Office, Bikaner (Rajasthan), D. M. Aggarwal to District Office, Kota (Raj) and R. K. Mehrotra to District Office Gorakhpur (U.P.) for the period that the order shall remain in force. On the same day i.e. 26-3-1985 an FIR was also lodged with the Station House Office, Police Station Connaught Place, New Delhi for taking action against the said workmen. On 31-5-1985 charge sheets were served upon these workmen for action proposed to be taken under Regulation 60 of the Staff Regulation 1971 on the allegations inter alia that they had stood near the main entrance of the Head Quarters building at about 1.40 P.M. on 20-3-85 and indulged in slogan shouting against the Management and they had also abused and threatened the Security Staff on duty in general and the Security Officer in particular for insisting upon the late comers making an entry in the register before allowing them entry into the building and that again on 21-3-85 they prevented the Watch and Ward Staff from closing the gate and insisting and instigating other employees to agitate at the main entrance and that by the said actions they had acted in a manner prejudicial to the interest of the Corporation. The five workmen submitted their replies on 10th and 12th June, 1985. On 18-10-1985 orders were passed against these workmen imposing punishment of withholding of one increment without cumulative effect under Regulation 56 of the Staff Regulations 1971 and at the same time the suspension orders passed on 26-3-1985 were revoked and it was directed that the period of suspension shall be treated as the leave of the kind due. Thereafter the workmen submitted joining reports at Delhi but they were not allowed to join duty and clarifications were issued by the Management that the Head Quarters of the workmen had not been changed as a result of the revocation of the suspension and they should report for duty at the Head Quarters as mentioned in the orders of suspension dated 26-3-85. None of the workmen joined at the Head Quarters fixed in the orders of suspension except for Mr. D. M. Aggarwal. On

6-3-86 all the workmen made representations on personal grounds for posting at Delhi. On 27-3-86 the requests of all the five workmen were conceded and they were posted at Delhi. During the pendency of the reference the workmen filed appeals against the order of punishment on 11-12-1985 and in appeal while the withholding of increment was confirmed but the period of suspension was treated as on duty and full pay has been paid for the said period.

3. The case of the workmen, in brief is that they were engaged in peaceful lunch hour demonstrations in order to press for their legitimate demands after due notice to the Management and the action of the Management was vindictive and intended to curb their union activities. The allegations of activities prejudicial to the interest of the security of the State made in the order of suspension were false, mala fide, motivated and were levelled with ulterior designs and the lodging of an FIR with the police on false allegations was an unfair labour practice. In the charge sheet dated 31-5-85 the allegation was that the workmen had participated in agitation, raised slogans against the Management and criticised the Management actions which indicates that the allegations of activities prejudicial to the interest of the security of the State levelled in the suspension order dated 24-3-85 were false. As the charge sheet dated 31-5-85 was served under regulation 60 of the Staff Regulations 1971 attracting only minor penalty, the suspension of the workmen was unwarranted and in any case there was no justifications for the continuation of the suspension after the serving of the charge sheet and receipt of the replies of the workmen. Again, while on suspension, the workmen were not paid any subsistence allowance despite the fact that the dispute was in conciliation. The transfer of the workmen to far off places was also an unfair labour practice. The change in Head-Quarters of the workmen was during the pendency of the suspension orders and on the revocation of the suspension orders no mention was made that they would continue to be posted at the transferred places, but in spite of this the workmen were not allowed to resume duty at their previous places of posting i.e. New Delhi. The articles of charge framed against the workmen did not allege any misconduct pertaining to their official duties and related only to their organising participating in Trade Union activities and the raising of slogans and criticising of the Management action has been wrongly treated as an act of misconduct and an offence to organise a trade union and participate in trade union activities is a constitutional right of the workers. Hence the workmen have prayed that the Management orders of suspension/transfer and the imposition of penalty be quashed.

4. The Management while controverting the claim and allegations of the workmen have justified their action and have alleged that the notice of the Karamchari Sangh was for the start of agitation w.e.f. 25-3-85 but the FCI Employees Union launched an illegal agitation w.e.f. 21-3-1985. They not only indulged in preventing the willing members of the staff from entering the office premises but physically man-handled and obstructed the Security Personnel from discharging their legitimate duties and responsibilities. The Management initiated disciplinary proceedings against S/Shri S.R. Chachra, Umapati Bhardwaj, Anoop Singh, D. M. Agarwal and R. K. Mehrotra as they were mainly responsible to incite and instigate other members of the staff and indulged in physical obstruction of the Security Personnel. They were therefore, placed under suspension with change of Head Quarters, which was within the competence of the Management. However, by the time the suspension orders were got ready on 26-3-85 it was past Office hours and hence the orders were served at their respective residences on the same evening. The suspension of these workers were considered necessary in public interest. The Central Government had imposed a ban on the strike and agitation in the FCI and the provisions of ESMA 1981 were operative to ensure the smooth working of the F.C.I. Therefore, when the Union launched an illegal agitation and indulged in acts prejudicial to the work of the Corporation, Management had no alternative but to take corrective and remedial measures and consequently filing an FIR with the police cannot be treated as unfair labour practice. It was further submitted that there

is no contradiction in what was mentioned in the suspension order and subsequent charge sheets, as the workmen were suspended because of their activities prejudicial to the interest of the State whereas the charge sheet contained charges of their participation, illegal agitation, slogans, physical obstruction of the Security Personnel from discharging their duties, incitement and instigation of other willing employees to participate in the illegal demonstration which were naturally prejudicial to the interest of the State. The Management suspended these employees for reasons of serious misconduct on their part but taking an extremely lenient view they were charge sheeted only for a minor penalty under Regulation 60 of the Staff Regulations 1971. There were conciliation proceedings but no accord could be reached and after the failure of the conciliation proceedings the Management considered the replies of the officials to the charge sheets and again taking a lenient view it was decided to impose on them minor penalty of stoppage of one increment without cumulative effect and to treat the period of suspension as leave of the kind, due. It was at the absolute discretion of the Management whether or not to conduct any enquiry and in the present cases it was felt that no enquiry was necessary. It was further stated that the workmen had to draw their subsistence allowance from their respective places of new Head Quarters and not from the Head Office at New Delhi but they did not report at their new Head Quarters. It was also stated that since in the revocation orders dated 18-10-85 there was no mention of their being directed to join at FCI Head Quarters, New Delhi it was obvious that they were required to report for duty at their changed place of Head Quarters and accordingly the revocation orders dated 18-10-85 were sent to their respective controlling officers. However, to make it very clear beyond any doubt it was subsequently ordered that their Head Quarters would continue to be the same as during the period of suspension. It was also denied that the articles of charge framed against the workmen did not allege any misconduct pertaining to their official duties. In this regard it was also submitted that for quite sometime it was noticed that some members of the Staff were habitual late comers and non-observance of the office timings had an adverse effect on other employees also much to the detriment of the office discipline and working. The repeated appeals of the Management to observe punctuality and follow strictly the prescribed office timings were of no avail and hence in the beginning of December, 1984 it was decided to strictly enforce the office timings and have a check on the habitual late comers. All the officers and staff were, therefore, required to mark the attendance in the register kept at the main entrance gate and the Security Personnel on duty were instructed not to permit anyone inside the gate without marking their attendance. However, some of the employees more particularly the five workmen mentioned in the order of reference not only indulged in preventing other willing members of the staff from entering office but also physically manhandled and obstructed security personnel from discharging their designated duties. Strikes and agitations in the FCI were banned by the Government of India under the P.S. I.A. and, therefore, the participation in an agitation which is legally banned has a direct bearing on their official duties.

5. Regulation 66(1) of the Staff Regulation 1971 under which the five workmen were suspended is reproduced below :

"66. Suspension :

- (1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority empowered in that behalf by the Board, by general or special order, may place an employee under suspension :
  - (a) where a disciplinary proceeding against him is contemplated or is pending, or
  - (b) where in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest of the security of the State ; or
  - (c) where a case against him in respect of any criminal offence under investigation, inquiry or trial ;

Provided that, where the order of suspension is made by an authority lower than the appointing authority, such authority

ity shall forthwith report to the appointing authority the circumstances in which the order was made."

As the orders of suspension dated 26-3-85 reveal, the Management suspended the five workmen for engaging themselves in activities prejudicial to the interest of security of State. However, even in the complaint lodged with the police on the same day it was not even alleged that the workmen had engaged themselves in any activities prejudicial to the interest of the Security of the State and it was only alleged that the activities of the workmen were causing great interference in the smooth working of the Head Quarters which is to control the operations throughout the country and the continuation of such illegal agitation was likely to cause serious disruption in the essential operations of the FCI which may result in disruption of public distribution system and movement of the Food grains throughout the country. As such the police were asked to take action against workmen under the Essential Services Maintenance Act, 1981. Even in the charge sheet dated 31-5-1985 there was no allegation of activities prejudicial to the interest of the Security of the State and it was simply alleged that the workmen had indulged in slogan shouting against the Management and abused and threatened the Security Staff on duty and incited and instigated other willing employees to part take in the illegal demonstration and agitate in front of the office building. In any case the allegations contained in the charge sheet dated 31-5-1985 could not be regarded as activities prejudicial to the interest of the security of the State. On the face of it, the allegations reveal union activities on the part of the workmen to press for the acceptance of their demands for which notice had been served by the Karamchari Sangh. It, therefore, becomes manifest that the allegation of indulging in activities prejudicial to the interest of the security of the State were levelled only to legitimise the illegal and unjustified suspension of the workmen as on the allegations contained in the charge sheet the workmen could not have been suspended. The plea of the Management in the written statement that although employees were suspended for reasons of serious misconduct on their part, yet taking an extremely lenient view they were charge sheeted only for a minor penalty under Regulation 60 of the Staff Regulations, 1971 is facile and something novel in the annals of public administration. It may be one thing to say that the charges against these workmen were serious but alien view was taken at the time of imposing the penalty but it is unheard of that charges levelled were changed in order to take a lenient view. If the workmen had indulged in activities prejudicial to the interest of the security of the State, the charge sheet should have been on those lines and it could not have been changed into altogether different allegations inviting minor penalty. The only inference that can be drawn from this plea of the Management is that all the allegations both in the order of suspension as well as in the charge sheet were false and frivolous. Now, the charge sheet dated 31st May, 1985 having been framed under Regulation 60 for imposition of only minor penalty, there was absolutely no reason for continuance of the suspension of the workmen beyond 31st May, 1985 as for minor penalty the workmen could not have been suspended. But strangely the suspension of the workmen were continued till 18th October, 1985 when the orders of imposition of minor penalty and revocation of the suspension were passed. The Ministry of Personnel and Training Administrative Reforms and Public Grievances and Pension, Department of Personnel and Training issued O.M. No. 11012/15/85-Estt. (A) dated 3rd December, 1985 (adopted by the F.C.I. vide their circular No. 40 of 1986 dated 30th June, 1986) which is reproduced below :

#### OFFICE MEMORANDUM

"Subject : Period of suspension to be treated as duty if only a minor penalty is imposed after conclusion of the disciplinary proceedings—Recommendations of the Committee of the National Council (JCM).

The undersigned is directed to invite attention to this Department O.M. No. 43/56/64-AVD dated 22nd October, 1964 containing the guidelines for placing Government servants under suspension and to say that these instructions lay down, inter-alia, that Government servant could be placed under suspension of a prima-facie case is made out justifying his prosecution or disciplinary proceedings which are likely to end in his dismissal, removal or compulsory retirement. These instructions thus make it clear that suspension should be resorted to only in

those cases where a major penalty is likely to be imposed on conclusion of the proceedings and not a minor penalty. The staff side of the Committee of the National Council set up to review the CCS (CCA) Rules, 1963 had suggested that in cases where a Government, against whom an enquiry has been held for the imposition of a major penalty, is finally awarded only a minor penalty, the suspension should be considered unjustified and full pay and allowances paid for suspension period. Government have accepted this suggestion of the staff side. Accordingly, where departmental proceedings against a suspended employee for the imposition of a major penalty, finally and with the imposition of a minor penalty, the suspension can be said to be wholly unjustified in terms of F.R. (54-B) and the employee concerned should, therefore, be paid full pay and allowances for the period of suspension by passing a suitable order under F.R. 54-B.

2. Ministry of Agriculture etc. are requested to bring the contents of para 1 above to the notice of all authorities concerned under their control.
3. These orders will become effective from the date of issue. Past cases already decided need not be reopened.

It is apparent from the above memorandum that there were previous instructions that employees could be placed under suspension only if a prima facie case was made out justifying his prosecution or disciplinary proceedings which were likely to lead to his dismissal, removal or compulsory retirement. Subsequently it has been made clear that an employee against whom an enquiry has been held for imposition of a major penalty is finally awarded only a minor penalty, the suspension is to be held to be wholly unjustified and the employee concerned should be paid full pay and allowances for the period of suspension. Since the Management has already in the order passed on the appeal of the workmen treated the period of suspension as duty and paid full pay and allowances to them, this aspect of the case need not hold us any further. However one thing is clear that the Management could not have suspended workmen on the allegations levelled against them which are to be taken as in the charge sheet dated 31st May, 1985. Therefore, the suspension of the workmen was clearly unjustified and there was no justification at all in any circumstances, for the continuation of the suspension beyond 31st May, 1985. Since the suspension of the workmen itself was unjustified, their change of head quarters to far off places in different directions was also unjustified. The action of the Management in framing a charge sheet for minor penalty under Regulation 60 (whereas the suspension was for a major penalty under Regulation 66) in order to obviate holding of any enquiry and giving the workmen an opportunity to rebut the allegations and consequently in imposing the penalty of with-holding of one increment without cumulative effect must be held to be mala fide and without any justification. As already observed, the allegations contained in the suspension order dated 26th March, 1985 and the charge sheet dated 31st May, 1985 were false and frivolous. It must follow that the order dated 18th October, 1985 imposing the penalty of with-holding of one increment without cumulative effect is also illegal and unjustified.

14. At the cost of repetition, it may be recapitulated that the change of head quarter of the workmen to far off places on trumped up allegations was quite unjustified. Moreover, in the orders of suspension dated 26th March, 1985 it had been mentioned that the change in Head Quarters of the delinquent employees was for the duration of the period that the order of suspension shall remain in force. Since the order of suspension was revoked vide order dated 18th October, 1985, the change in Head Quarter of the employees also stood revoked. Therefore, these employees should have been allowed to join duty at New Delhi. In any case the wrong done to the workmen has been undone already. This dispute may be treated as closed.

15. In view of the discussion made above, the order of with-holding of one increment without cumulative effect against all the five employees is hereby quashed and it is directed that the increment with-held shall be resorted to these workmen and all the arrears of the increment shall be paid to them within 10 days of the enforcement of this award failing which the Management shall be liable to pay 12 per cent interest from the date of amount became due. The



Management is also burdened with cost of Rs. 1000 which shall be paid to the Union of the workmen :

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

G. S. KALRA, Presiding Officer  
[No. L-42011/8/85-D V/D II(B)]

Dated : 28th July, 1987.

का० आ० 2399.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, गन कैरिज फैक्ट्री, जबलपुर के प्रबंधन में सम्बद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18 अगस्त, 1987 को प्राप्त हुआ था।

S.O. 2399.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, as shown in the Annexure in the industrial dispute between the employers in relation to the 'management' of Gun Carriage Factory, Jabalpur and their workmen, which was received by the Central Government on the 18th August, 1987.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(86, of 1985.

#### PARTIES :

Employers in relation to the management of Gun Carriage Factory, Jabalpur and their workman, Shri S. C. Choudhary, Fitter 'A' represented through the GCF Employees Union. T/92/2. Chitrangan Marg, GCF Estate, Jabalpur (M.P.).

#### APPEARANCES :

For Union—Shri P. S. Nair, Advocate.

For Management—Shri A. K. Chaube, Advocate.

#### INDUSRY : Ordnance

DISTRICT : Jabalpur (M.P.)

#### AWARD

Dated, August 12, 1987.

In exercise of the powers conferred by Clause (d) of Sub-section (i) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 the Central Government in the Ministry of Labour vide Notification No. L-14012(14)/85-D.II(B) Dated 23rd September, 1985 referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Gun Carriage Factory, Jabalpur (M.P.) in punishing the workman Shri S. C. Choudhary, Fitter 'A' by various orders of penalties dated 30-10-1979, 31-10-81, 7-11-79, 24-6-83 and 11-10-84 for his

trade union activities is justified ? If not, to what relief the workman concerned is entitled ?"

2. Parties have filed their respective pleading and documents. The position that emerges out from the admitted and proved documents appears to be that the G.C.I. Employees Union (hereinafter referred to Union) was established and registered in the year 1970. The workman concerned, Shri S. C. Choudhary was one of its active members and Vice President of the GCF Employees Union.

3. The aforesaid Union had been taking up the cases of the workmen with the management. The workman being the Vice President of the Union was in the fore front of the Union activities and was agitating against the various alleged illegal policies of the management and represented alleged genuine demands of the workers.

4. Shri B. K. Ghai joined as the General Manager of the Gun Carriage Factory, Jabalpur (hereinafter referred to as the Factory) on or about 9th July, 1980 and somehow there developed a tussle between the active members of the Union and Shri B. K. Ghai. Union not only submitted Memorandum to the Defence Secretary but made some complaints also against Shri B. K. Ghai and resorted to hunger strike and notices of strike etc., brought out Hand Bills, several news items against him (filed in Ref. Case No. 90/25). Shri B. K. Ghai in his capacity as General Manager of the Factory issued several charge-sheets against members of the Union including Shri S. C. Choudhary. The following charges and punishments mentioned against each charge were imposed on Shri S. C. Choudhary :—

Date of Order	Offence	Penalty imposed	Exhibits marked
30-10-79	Gross Misconduct—Subversive of Discipline—In that on 5-8-79 unauthorisedly shouted slogans like Inqulab Zindabad Tera Tarikh Ki Hartal Hoke Rahegi, Mazdoor Ekata Zindabad etc., inside the factory at about 3.55 PM near canteen booth behind Main Office.	Censured	Ex. W/13.
31-10-81	Gross Misconduct—Subversive of Discipline—In that on 26-7-81 at about 9.40 AM led a group of workers shouting inciting & insinuating slogans and gathered near the staff case of Main Garden.	Next one increment withheld w/o. c. effect for one year.	Ex. W/8 to Ex. W/12
7-11-79	Absence from place of duty on 7-9-79.	Warned.	
24-6-83	Gross Misconduct—Subversive of Discipline—In that on 15-2-83 at about 1.15 PM he illegally &	Stoppage of next increment w/o c. for one year.	Ex. W/1 to Ex. W/7.

unauthorisedly organised an assn. of workers inside the main gate led them in a procession towards GCF Club shouted slogans against the GCF Management and Secretary Defence Production.

11-10-84	(1) Neglect of duty. (2) Unauthorisedly arranged on assembly of 80/100 employees indulged in shouting slogans and also delivered a speech.	Stoppage of one increment with c.e. for one year.	Ex.W/14 to Ex. W/31.
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5. The case of the workman further is that a strike ballot was taken on 11-8-81 on behalf of the Union and 98 per cent of the workers of the Factory voted in favour of the strike. The management therefore came to conclusion that their action was not correct. They negotiated a settlement on 13-1-81 settling the charter of demands. Regarding the pending charge-sheet the General Manager gave a personal assurance that if the workman gives reply admitting the allegation, he will not impose any punishment but will merely give a oral warning. He was also of the opinion that if a departmental enquiry is held, it will be a prolonged one and neither party will gain any benefit. Believing the assurance and with a view to maintain good atmosphere and good industrial relation the workman gave reply (Ex. W/27) to show cause notice as suggested by the General Manager.

6. Thus the punishment imposed on the workman is bad in law on the following grounds amongst others :-

1. Shri B. K. Ghai being the complainant and the witness could not have issued the chargesheet and impose any punishment.
2. Punishment was imposed without holding an enquiry.
3. Punishment imposed is an act of victimisation and unfair labour practice.
4. He took into consideration various documents and statements produced behind the back of the workman and which were never made available to him.
5. The workman does not speak or write English and he was not supplied with the Hindi version of the charge-sheet or any of the letters. Thus he was deprived of an opportunity to defend himself.
6. The punishment imposed is against the principle of natural justice as well as against fundamental rights of trade union activities.

7. The workman, Shri S. C. Choudhary gave an Affidavit and his statement on oath is that he was the Vice President of the G.C.F. Employees Union and he represented the cause of the workers before the management of GCF, Jabalpur. Because of the anti industrial and anti workers attitude of the G. M.

Shri B. K. Ghai, G.C.F. Jabalpur settlement could not be reached in most of the cases. Instead of taking initiative for maintaining industrial peace and harmony Shri B. K. Ghai, the then General Manager, G.C.F. Jabalpur took revengeful and vindictive attitude against the office bearers and executive members of the Union. Since the joining of Shri B. K. Ghai he was unhappy with the Union activities and therefore he was harassing the union workers from time to time. The Union had also brought out the hand bills and several new items also appeared in the daily news paper against Shri B. K. Ghai. The Union resorted to hunger strike. Because of the union activities the workman, Shri S. C. Choudhary, was issued various charge-sheets and punishment orders.

8. The workman, Shri S. C. Choudhary, further stated on oath in his Affidavit that a strike ballot was taken on 11-8-81 on behalf of the Union and 98 per cent of the workers of the Factory voted in favour of the strike. After the strike ballot the management found that their action was not correct. Therefore they negotiated a settlement on 13-1-81 settling the charter of demands. Regarding the pending charge-sheet, the G.M. gave a personal assurance that if the workman gives reply admitting the allegation, he will not impose any punishment but will merely give a oral warning. He also informed that if a departmental enquiry is held it will be a prolonged one and neither party will be benefited.

9. Next he has stated that his request for supply of Hindi copy of Memorandum and other documents were rejected arbitrarily and the relevant documents were not supplied. The charges were regarding the alleged shouting of slogans etc. and for demonstration. The disciplinary authority before imposing punishment has relied upon certain evidence which were available with them. He was not given the statement recorded of any person and was deprived of the opportunity to defend. The G.M. based his findings on materials collected behind his back and without giving him opportunity of examining and explaining the evidence against him. Shri B. K. Ghai who had issued the charge-sheets and punishment orders was himself involved and was personally biased against him. He being one of the complainant could not have passed the orders.

10. Regarding the order dated 11-10-84 punishing him with the stoppage of increment with cumulative effect he has stated on oath that he was charge-sheeted on 11-8-81 for the alleged misconduct of delivering speech and shouting slogans. No enquiry was held for more than 3 years. Shri B. K. Ghai, the General Manager was personally interested in the case and the action was initiated due to the personal grudge with the office bearers of the Union. The charge-sheet was kept pending deliberately for more than 3 years and because of the pendency of the charge-sheet he was prevented to get due promotion for more than 4 years. Therefore also he was not left with any alternative but to submit his acceptance. Only one prosecution witness was produced in this case and incomplete enquiry was held. The defence assistance was not permitted to him. Simi-



lar is the position in other chargesheets issued to him.

11. The written statement submitted on behalf of the management is as under :—

“The GM, GCF, Jabalpur begs to submit facts relevant to the case and further submits that Shri S. C. Choudhary, was punished for gross misconduct in the past for which due enquiry was held and orders passed, on consideration of material evidence against him. The penalties imposed on him were fully merited. The same were just and are not liable to be questioned. He is not entitled to any relief asked for by him. The management has further narrated regarding the charge-sheets issued to the workman. Regarding the supply of Hindi version of the charge-sheets to the workman the management has contended that he was repeatedly advised to get them translated by his literate friend. But since he did not submit his representation the management presumed that the applicant Shri S. C. Choudhary was not interested to reply and was adopting dilatory tactics. Therefore the penalty was imposed on him.”

12. The enquiry papers have been relied on by the parties besides the applicant gave his own statement on affidavit and relied on certain documents i.e. hand bills, cutting of news papers etc. filed in other case of the members of the same Union. Management did not file any counter-affidavit either of Shri B. K. Ghai, General Manager, or of any other responsible officer of the Factory.

13. I will first take up the penalties dated 30-10-1979 and 7-11-1979 i.e. censure and warning respectively imposed on the workman. It is an admitted fact that Shri Ghai joined the Factory at Jabalpur on 9th July 1980. Therefore it is apparent that these minor penalties were imposed against the workman before Shri Ghai joined the Factory. Ex. W/13 is the order of punishment dated 30-10-79. It appears that office Confidential Memo dated 24-8-79 was issued to the workman by the then General Manager Shri G. R. Narsingham to which he did not submit any explanation/representation. Therefore the management passed an order imposing penalty of “Censure”.

14. Minor penalty dated 7-11-79 was imposed on the workman for absence from place of duty on 7-9-79. Unfortunately neither party filed any document in this regard. The affidavit and arguments addressed to this Tribunal do not in any way challenge the above minor punishment. No adverse allegation, like malafides, victimization etc. as made against Shri Ghai was made against the then General Managers/Manager (Shri G. R. Narsingham or any other competent authority who imposed these penalties). In the absence of any material on record it cannot be said that the penalties dated 30-10-79 and 7-11-1979 were illegal, improper or unjustified. At this stage of the case the burden was on the workman to show that the above penalties were not

justified or improper & illegal. I therefore hold that the above penalties were justified.

15. I now proceed to examine rest of penalties which relate to the period of Shri Ghai, General Manager.

16. The main challenge to the show cause notices and the departmental punishments is that Shri B. K. Ghai was himself in the position of complainant and a witness. Therefore he could have neither issued the charge-sheets nor could have imposed the punishments awarded by him

17. I have gone through the records and I find that the documents of enquiry papers relied on by the management clearly go to show that this movement of he Union members was directed against the General Manager, Shri B. K. Ghai, and he was at least one of the aggrieved party and personally prejudiced against the active members of the Union.

18. On behalf of the management, it has been contended that active members of the union went beyond the legitimate activities of the union and they had absolutely no right to act in the manner as they did. Therefore they made themselves liable to the punishment awarded to them for their misconduct subversive of discipline as charge-sheeted. This may be true, but the law of natural justice requires that such activities of the union members or office bearers as are subversive of discipline amounting to misconduct has to be proved by legal evidence before a person could be punished. In the instant case, except the allegations in the charge-sheets there is nothing on record at least before this Tribunal to substantiate the allegations of the management. On the other hand, applicant workman has filed his own affidavit and he has been cross-examined but nothing is brought out to discredit his plea in relation to the charges levelled against him. If the management wanted to rebut the allegations of his affidavit it should have either filed the counter-affidavit of Shri B. K. Ghai or at least of some responsible officer to refute or rebut the allegations but nothing has been done. I, therefore, see no reason to disbelieve the affidavit of the applicant workman (Pratap Singh Vs. State of Punjab AIR 1964 SC 72 para 14 relied on).

19. The salient feature of the affidavit of Shri S. C. Choudhary are that he was a Vice President and active member of the Union. Shri Ghai started harassing workers. Union therefore brought out hand bills, news items etc. against him and resorted to hunger strike etc. With a view to suppress union activities Shri B. K. Ghai issued false charge-sheets to active workers/executive members. But looking to the result of strike ballot he settled the charter of demands of the union and buffed them to admit the charges. Documents and statements of the witnesses were collected behind his back and their copies were not given to him.

20. In the case of Gujarat Steel Tubes Ltd. Vs. Mazdoor Sabha (AIR 1980 SC 1896) facts were on all fours with the facts of the present case. Relevant

extracts of the above case are being reproduced below:—

"The form of the order of termination or the language in which it is couched is not conclusive. The Court will lift the veil to see the true nature of the order....."

The Court will find out from other proceedings or documents connected with the formal order of termination what the true ground for the termination is.....

A disciplinary inquiry resulting in punishment of particular delinquents cannot but be illegal if the evidence is of mass misconduct by unspecified strikers led by leaders who are perhaps not even workmen.

The workmen were on strike. The strike was illegal. The management was hurt because production was paralysed. The strikers allegedly indulged in objectionable activities. The exasperated management hit back by ordering their discharge for reasons set out in several pages in the appropriate contemporaneous proceeding. Misconduct after misconduct was flung on the workers to justify the drastic action.

Held:—"The orders of discharge were bad on this score alone."

21. In view of the above, it is crystal clear that the action of the General Manager, Shri B. K. Ghai, against the active members of the union amounts to victimisation and unfair labour practice in giving charge-sheets to the workman and orders passed during his regime i.e. after his joining as General Manager.

22. Now I will briefly take up some of the glaring impropriety, illegality in the charge-sheet and punishment awarded to the workman.

23. Ex. W/8 to Ex. W/12 are the only documents filed regarding the alleged misconduct dated 26-7-1981. Statement of charge Ex. W/9 was given to the workman vide show cause notice Ex. W/8. On 11-8-1981 the workman applied for Hindi version of the charge-sheet vide Ex. W/10 but the management instead of supplying Hindi version of the charge-sheet issued a Memo dated 13-8-81 (Ex. W/11) directing the workman to submit representation, if any, otherwise it will be presumed that he had nothing to say in defence. Workman again replied to the aforesaid Memorandum requesting the General Manager to consider his application dated 11-8-81 in the light of the Government of India instructions regarding supply of Hindi version.

4. Documents Ex. W/1 to Ex. W/7 are regarding the alleged misconduct dated 15-2-83. Statement of imputation of misconduct or misbehaviour (Ex. W/2) was given to the workman vide Memorandum dated 16-2-83 (Ex. W/1). On 28-2-83 the workman applied for Hindi version (Ex. W/3) and the management replied vide Ex. W/4 that he can contact the Labour Officer, Time Keeper or any of his literate friend to understand the contents of this office Memo dated

162-83. Vide Ex. W/5 and Ex. W/6 dated 11-3-83 and 29-4-83 respectively the applicant again requested the management to supply the Hindi version so that he could defend himself properly. The General Manager, Shri B. K. Ghai, passed the order dated 24-6-1983 (Ex. W/7) imposing penalty of stoppage of next one increment without cumulative effect for one year.

25. In both the above cases management instead of supplying the Hindi version of documents on his various representations in reply to show cause presumed that he had no defence to make. Vide his application dated 29-4-83 (Ex. W/6) the workman had not only asked for Hindi version of the document, but also the permission to see those documents on the basis of which he is charged. He also prayed that he be allowed to cross those witnesses and adduce his defence. But instead of treating his request in a judicious and proper manner, disciplinary authority Shri Ghai only presumed that he has no defence to make, but also held the charges proved on the basis of evidence, of which workman was denied the opportunity even to see. So even this amounts to denial of right to defend and violation of principle of natural justice. Hence both these proceedings are vitiated.

26. Documents Ex. W/14 to Ex. W/31 are regarding the charge-sheet dated 11-8-1981 annexed with the Memorandum dated 11-8-1981 (Ex. W/14) and in respect of this chargesheet Shri B. K. Ghai, General Manager, passed the order dated 11-10-1984 (Ex. W/28) imposing the penalty of stoppage of one increment with cumulative effect for a period of one year.

27. Shri R. K. Anand, Dy. General Manager, conducted a prolonged Court of Inquiry which commenced from 28-2-82 and ended on 19-9-1984. Ex. W/17 to Ex. W/26 are the enquiry proceedings. Ex. W/29 is the appeal of the workman and Ex. W/30 and Ex. W/31 are the order of the Appellate Authority rejecting his appeal.

28. The workman concerned has filed a copy of the order of Shri B. K. Ghai, General Manager, passed in respect of one Shri S. K. Bhati imposing penalty of Censure. This is to show that for the similar charges Shri Bhatia was only censured and the workman Shri Choudhary was punished with the stoppage of one increment. To my mind discrimination is apparent.

29. It was nearly two and half years after the commencement of enquiry on 19-9-1984 the workman during the course of enquiry submitted an application (Ex. W/16) accepting the charges in the following words:—

(i) That the article of charges 1 and 2 of the subject memorandum are not denied.

(ii) That I have done these activities as alleged in the charge-sheet as misconduct, upon the call of the Federation (AIDEF) Union of which I am Member/Vice President. It was my moral duty to carry out the activities as alleged in the charge-sheet to ventilate the genuine grievances of the workers of the G.C. Fy.

- (iii) That the said charge sheet was issued on 11th August 81, and more than 3 years have lapsed but the said departmental proceedings is still pending in its original stage. Due to the said departmental proceedings I have suffered much loss, by not getting my due promotion of Supervisor/High Skilled. In other words, I have been already punished for the misconduct as alleged in the charge-sheet, by denial of promotion, due to pendency of the said departmental proceedings indirectly.

This itself goes to show that some compelling reasons made him to file the application Ex. W|16. The Enquiry Officer accepted the above application of the workman, closed the enquiry finally on 19-9-1984 and submitted a report on 23-9-1984 (Ex. W|15) finding the charges levelled against the workman proved. Ex. W|28 is the order of Shri B. K. Ghai, General Manager, dt. 11-10-1984 in respect of charges levelled on 11-8-81 imposing the penalty of stoppage of one increment with cumulative effect for a period of one year.

30. The workman has pleaded that pending charge-sheet on the personal assurance of the General Manager, Shri B. K. Ghai, that if he admits the allegation General Manager will not impose any punishment but will merely give an oral warning he had submitted the application (Ex. W|16). The workman's above plea finds support from the circumstances and his statement of affidavit. There is nothing to rebut the same on record. Therefore I see no reason to disbelieve his testimony on oath in this regard.

31. From all this attitude of the disciplinary authority it appears that Shri B. K. Ghai, General Manager, was highly prejudiced to the workman and went out of the way to victimise him for his trade union activities. For such a contingency the Government framed instructions in C.C.S. (C.C.A.) Rules 1965 on page 60 item No. 3(ii) which reads as follows :—

“(3) When President's power for nominating an ad-hoc disciplinary authority to be invoked—

(i) .....

(ii) When the competent authority is unable to function as the disciplinary authority—

In a case where the prescribed appointing or disciplinary authority is unable to function as the disciplinary authority in respect of an official,

on account of his personally concerned with the charges or being a material witness in support of the charges, the proper course for that authority is to refer such a case to Government in the normal manner for nomination of an ad-hoc disciplinary authority by a Presidential Order under the provisions of Rule 12(2) of C.C.S. (C.C.A.) Rules, 1965.”

Under this Rule Shri B. K. Ghai should have referred the matter to the Government for appointment of an ad hoc disciplinary authority to conduct just, legal and impartial domestic enquiry against the workman but instead of doing so he himself became the prosecutor and judge at the same time. It is now well settled that no person could be a judge in his own cause and no witness could testify that his own testimony is true as has been held in the case of 1980-II-LLJ p. 270 P. J. Warkari Vs. K. V. Karamkar; 1986 SLR(1) 558 S. Tiwari Vs. State of M.P.; 1984 MPLJ 516. This is what has been done by Shri B. K. Ghai. Therefore the entire proceedings, orders etc. are vitiated being contrary to law and all the orders passed by the General Manager, Shri B. K. Ghai, are set aside.

32. In the instant case, the management in their written statement has not sought an opportunity to prove misconduct before this Tribunal. Therefore they are not entitled to the same.

33. Consequently I hold that the action of the management of Gun Carriage Factory, Jabalpur (M.P.) in punishing the workman Shri S. C. Choudhary, Fitter 'A' by orders of penalties dated 30-10-1979 and 7-11-1979 respectively by punishment of “Censure” and “Warning” are justified, legal and proper. The workman, therefore, is not entitled to any relief regarding the same. However, I hold that the action of the management of G.C.F. Jabalpur by various orders of penalties dated 31-10-1981, 24-6-83 and 11-10-84 for his trade union activities is neither legal nor proper or justified. He is, therefore, entitled to all increments withheld/stopped with all consequential benefits like due promotion etc. Management is directed to pay all his dues within three months from the date of this award otherwise the dues will accrue interest @ 9 per cent per annum from the date of publication of this award. No order as to costs.

V. S. YADAV, Presiding Officer.

[No. L-14012/14/85-D.II(B)]

HARI SINGH, Desk Officer.

